

RICE UNIVERSITY

**Sunbelt Civil Rights:  
Race, Labor, and Politics in the Fort Worth Aircraft Industry,  
1940-1980**

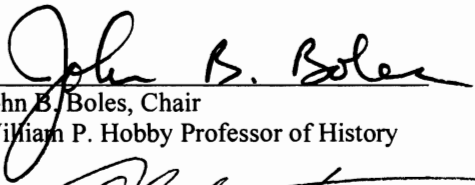
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## **ABSTRACT**

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This dissertation critically engages the growing literature on the “long” civil rights movement and the African American struggle for equal employment. Focusing on the Fort Worth plants of General Dynamics and its local competitors, this study argues that the federal government’s commitment to fair employment can best be understood by examining its attempts to oversee the racial practices of southern defense contractors both prior to and after passage of the 1964 Civil Rights Act. From World War II onward, the aircraft factories of north Texas became testing grounds for federal civil rights reform as a variety of non-statutory executive agencies attempted to root out employment discrimination. However, although they raised awareness about the problem, these early efforts yielded few results. Because the agencies involved refused to utilize their punitive authority or counter the industry’s unstable demand for labor through rational economic planning, workplace inequality continued to be the norm. Ultimately, federal policymakers’ reluctance to reform the underlying structural causes of employment discrimination among southern defense

contractors set a precedent that has continued to hinder African American economic advancement.

This dissertation also reevaluates assumptions regarding southern unions and the response of white workers to the civil rights movement. Just as the economic relationship between the federal government and defense contractors gave rise to early mandates on fair employment, the unstable demand for labor and adversarial management style of the Fort Worth aircraft manufacturers nurtured a form of unionism unique within the South for its moderate treatment of African Americans. Long before most labor organizations in the region resigned themselves to similar philosophies, the local aircraft workers' unions adopted a pragmatic approach toward racial questions based largely on their need to counter managerial abuses and provide job security. Whatever their personal prejudices may have been, local white labor leaders nevertheless protected the economic rights of African Americans through forceful shopfloor representation and the negotiation of inclusionary contracts. By demanding a workplace in which management's actions were constrained by a set of fairly negotiated contractual rules, Fort Worth's aircraft unions struck an important if unintended blow against the arbitrariness of employment discrimination.

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Careful insightful comments on this and other projects have made me a much better historian. Chandler Davidson taught me a great deal about the intersections between Texas political history and race and has influenced many of the ideas in this study. I also want to acknowledge David Vaught, my master's thesis advisor, for introducing me to the study of labor history and serving as a trusted mentor throughout my intellectual development. Finally, I thank George Green of the University of Texas at Arlington for his willingness to spare time to talk about my research and introduce me to some of the many individuals he knows in the Texas labor movement.

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but also for the introductions he provided to numerous other past and present labor activists.

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## INTRODUCTION

### CIVIL RIGHTS AND THE WORKPLACE IN THE SUNBELT SOUTH

On April 17, 1942, the once peaceful skies over Fort Worth, Texas, reverberated with a prophetic sound. That morning, amid the waves and cheers of hundreds of eager spectators, a B-24 *Liberator* bomber roared down a runway built in a former cotton field and lifted off into the air. Taken by itself, there was nothing particularly unusual about this spectacle—after all, in a nation so recently thrust into world war, the sights and sounds of modern weaponry were becoming an ever-present reality. But to the assembled onlookers that day, this particular display of military strength was something different; for unlike other aircraft they had seen, the olive-hued bomber now circling above was homegrown. Manufactured in a new government-owned plant on the western outskirts of the city by local employees of the Consolidated-Vultee Aircraft Corporation (Convair), this airborne instrument of destruction was destined to become an engine of economic progress for the entire area. Over the next four decades the drone of propellers and the scream of jet engines would become familiar sounds to Fort Worth residents as federal defense contracts transformed this sleepy cow-town into one of the most important centers of military aircraft production in the nation. When Convair chairman Tom Girdler promised the assembled crowd that the aircraft flying overhead was but the first of many that would soon be produced in the plant, neither he nor anyone else could have imagined that they were in fact witnessing the birth of a new city and a new South.<sup>1</sup>

Of course, all revolutions, regardless of whether they are economic or political in nature, tend to come at the expense of one group or another, and the transformation of

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<sup>1</sup> “First Big Bomber Rolls Off Line,” *Fort Worth Star-Telegram*, April 18, 1942.



Fort Worth was no exception. For all of the self congratulations and patriotic rhetoric that spring morning, the coming years would demonstrate that the city's airborne industrial renaissance was not intended for everyone. Had they been among the assembled dignitaries at the take-off ceremony, most African Americans would have scoffed at the disingenuousness of chief engineer Albert S. Low's assertion that the new Convair plant "provides every employee with the fullest opportunity to work under conditions which leave no barriers in the way of all-out production." Whatever physical obstacles Low's construction firm might have eliminated from the factory, the social walls erected by Jim Crow were much more difficult to topple. Hired as a janitor four months after the take-off celebration, Alton Blanton's career at Convair exemplified the struggle faced by African Americans throughout this new industry. While thousands of inexperienced white workers climbed the ranks into high-paying assembly and fabrication jobs, Blanton spent the next thirty-one years performing menial or hazardous service tasks away from the production line. "When I went there," he explained in 1977, "it wasn't but one job for a Negro and that was the janitor." Though the local white officers of the International Association of Machinists (IAM) skillfully represented Blanton and other black workers in their more routine shopfloor grievances, he insisted that the union seemed wary of challenging broader examples of systemic racial discrimination: "I just felt like there was some things could have been done, if the union had pressed it far enough...It may be just an old general practice of why they didn't do it, but there really ought to have been something done about it." Not even the intervention of the federal government seemed to help, for Blanton stated that many of the discriminatory practices he complained about were still common through the early 1970s.

In the end, it was the indignity of these experiences that remained freshest in Blanton's mind. "I never will forget that," he recalled. "If I live to a hundred and twenty years, I won't forget that."<sup>2</sup>

The opening of the Convair plant and Blanton's subsequent career in it represent two important developments in the history of the American South since the 1940s: the emergence of the Sunbelt economy and the demand for racial equality in the southern workplace. This dissertation seeks to join these heretofore separate events by examining the efforts of Fort Worth's African American population to secure equal employment at the aircraft manufacturing facilities operated by Convair and its corporate successor General Dynamics, and, to a lesser extent, those of its local competitors, North American Aviation, Bell Helicopter, and Chance Vought. Throughout the four decades that this study covers, the experience of black workers in the industry was dominated by the economic relationship between the federal government and these four companies, all of whom were dependent upon defense contracts for their business. Over time, this military-industrial bond became intertwined with the movement for fair employment and ultimately gave rise to a number of executive orders and federal agencies that aimed with varying degrees of commitment at eliminating discrimination among defense contractors. Long before Title VII of the 1964 Civil Rights Act made equal employment the law of the land, the Fair Employment Practice Committee (FEPC), the President's Committee on Government Contracts (PCGC), and the President's Committee on Equal Employment Opportunity (PCEEO), transformed Fort Worth's aircraft factories—and, by extension,

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<sup>2</sup> "First Big Bomber Rolls Off Line," *Fort Worth Star-Telegram*, April 18, 1942; and Deposition of Alton Blanton, November 30, 1977, Box 5, *EEOC vs. General Dynamics, et al.* (1974), 10-15, 29, 53.

the workplaces of hundreds of other government contractors throughout the South—into testing grounds for such controversial civil rights reforms as affirmative action, preferential hiring, and racial quotas.

Unfortunately, as this dissertation demonstrates time and again, not only did these agencies prove unequal to the task of eliminating discrimination, but they also left behind a legacy that impeded the very progress of equal employment reform. So long as policymakers sought to enforce equal employment by executive order, the number of black aircraft workers in Fort Worth remained miniscule and the jobs they held severely limited. Unwilling to impede either hot or cold war defense production through the withdrawal of military contracts, the federal government essentially undermined its efforts at promoting workplace equality. Even more damaging was the precedent that these agencies set through their narrow-minded approach to the structural challenges facing contract-dependent industries. By refusing to recommend any form of national economic planning that might have countered defense contractors' volatile demand for labor, the federal government left African Americans vulnerable to economic booms and busts. This was certainly the case in Fort Worth, where the vicissitudes of aircraft production repeatedly frustrated attempts to improve conditions for black workers from World War II onward. Ultimately, the reluctance of federal policymakers to consider the larger structural components underlying the instability of aircraft manufacturers' demand for labor hindered even the more successful statutory anti-discrimination efforts of the Equal Employment Opportunity Commission (EEOC). Extended beyond the limits of defense production to other sectors of the national economy, this shortsightedness has continued to impede the civil rights movement's campaigns for jobs and justice to this very day.

If the relationship between Fort Worth's aircraft manufacturers and the federal government proved central to the shaping of demands for equal employment, it also had a hugely important impact on the unions representing the employees of these firms. Unlike the hostile response that civil rights provoked among organized labor elsewhere in the South, the local unions in the Fort Worth aircraft industry were characterized by their commitment to an exceptional form of interracial industrial unionism. As representatives from both the IAM and its rival the United Automobile Workers (UAW) signed up thousands of men and women of all skill levels, the aircraft factories gained a reputation as some of the most heavily organized workplaces in all of Texas. Driven by the need to counter both managerial authority and the contract-dependent aircraft industry's volatile demand for labor, these local unions adopted a pragmatic brand of shopfloor militancy unique in its formally colorblind approach to the economic problems of black and white workers. Though this was far from being the kind of progressive civil rights unionism espoused by the nation's most radical and rapidly disappearing unions, it was nevertheless notable when considered alongside the massive resistance and white backlash that engulfed so much of the southern labor movement. This is not to say that the aircraft unions of Fort Worth were proponents of full racial equality—like so many other southern unions, both the IAM and UAW included racists at every level of organization. As with the federal government's earlier efforts to enforce fair employment by executive fiat, the pernicious influence of this racism could be seen in the limits beyond which the unions were unwilling to go in the struggle for fair employment. Because Fort Worth's local aircraft unions refused to promote racial equality as a moral issue, their usefulness to black workers was restricted to enforcing the narrow economic

rights enshrined within collective bargaining agreements. While this was certainly a benefit for African Americans who had grievances on the shopfloor, it did little to advance the broader cause of equal employment. The result was that anti-discrimination reforms were left in the hands of the federal government, which, as outlined above, was similarly ill-disposed to the types of policy changes that might have had a more lasting impact upon the economic welfare of African Americans.

Surprisingly, despite its importance to the economic history of Texas, no one has yet attempted to study the now nearly seventy-year-old Fort Worth aircraft industry over anything more than a limited period of time. What little has been written has tended to concentrate heavily upon the industry's birth during World War II and neglects the many years afterward during which Convair, General Dynamics, and other aircraft manufacturers integrated themselves into the local community and economy. In her recent dissertation "From Stockyards to Defense Plants," for example, Kathryn Pinkney paints a vivid portrait of the economic and social changes wrought upon the area's residents by the opening of Convair in 1942. Unfortunately, because Pinkney abruptly concludes with the end of the war, the lonely statistics provided outlining the growing importance of the postwar aircraft industry are extremely unsatisfying when juxtaposed against the rest of this deep community study.<sup>3</sup> Roger Bilstein and Jay Miller's work *Aviation in Texas* moves beyond Pinkney's World War II-centric narrative, providing details about the state's aircraft manufacturing and aerospace industries through the early 1980s. What this rather celebratory study does not do, however, is offer any substantive

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<sup>3</sup> Kathryn Pinkney, "From Stockyards to Defense Plants, The Transformation of an American City: Fort Worth, Texas, and World War II" (Ph.D. dissertation, University of North Texas, 2003).

arguments concerning the industry as a whole or its impact upon local communities, choosing instead to simply celebrate the many different types of aircraft produced by Fort Worth manufacturers and other companies throughout Texas.<sup>4</sup> Fort Worth also does not figure prominently in any of the broader studies outlining the history of the American aircraft manufacturing industry or the major corporations involved in it.<sup>5</sup>

Given the paltry amount of literature on Texas aircraft manufacturing, it is not surprising that studies examining aircraft workers in the South, both white and black, are also extremely limited in number. Nearly all of these studies follow the pattern of Pinkney's work in that they focus exclusively on the war years when aircraft manufacturing was first introduced to the region. In his thesis "The Development of IAM District Lodge 776 in Fort Worth, Texas," Kirk White outlines the process by which workers were organized and the union's position as collective bargaining agent was secured at Convair. Though White's study does indeed present a useful account of District 776's formative years, its narrow temporal scope and failure to engage questions about the relationship between organized labor and African Americans are considerable

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<sup>4</sup> Roger Bilstein and Jay Miller, *Aviation in Texas* (Austin: Texas Monthly Press, 1985).

<sup>5</sup> See, for example, Jacob Vander Muelen, *The Politics of Aircraft: Building an American Military Industry* (Lawrence: University Press of Kansas, 1991); Roger Bilstein, *The American Aerospace Industry: From Workshop to Global Enterprise* (New York: Twayne Publishers, 1996); Barry Bluestone, Peter Jordan, and Mark Sullivan, *Aircraft Industry Dynamics: An Analysis of Competition, Capital, and Labor* (Boston: Auburn House Publishing Co., 1981); Jacob B. Goodwin, *Brotherhood of Arms: General Dynamics and the Business of Defending America* (New York: Times Books, 1985); Roger Franklin, *The Defender: The Story of General Dynamics* (New York: Harper & Row, 1986); and Alain J. Pelletier, *Bell Aircraft since 1935* (Annapolis, MD: Naval Institute Press, 1992).

weaknesses.<sup>6</sup> To her credit, Pinkney's dissertation contains a discussion on the efforts of black workers and women to secure equal rights at Convair, as do a small handful of essay-length studies by other historians on the aircraft industries in Atlanta, Georgia, and Nashville, Tennessee, but each of these accounts also suffers from their authors' too exclusive focus on the period of World War II.<sup>7</sup>

The most detailed study to date of the African American experience in the aircraft industry is labor economist Herbert Northrup's *The Negro in the Aerospace Industry*. Published as part of a series of industry-focused studies conducted by scholars at the University of Pennsylvania's Wharton School of Finance and Commerce, this report does a commendable job of presenting statistics on the employment of black aircraft workers in all sections of the nation, including Texas and the rest of the South. Unlike many quantitatively oriented histories, Northrup's work is also quite careful to contextualize the figures its author presents, explaining, for example, the reasons behind sectional differences in the number of African Americans hired by the industry and the national economic conditions that made certain trends possible. This report does have one important limitation, however, namely Northrup's failure to provide the kind of bottom-

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<sup>6</sup> Kirk White, "The Development of IAM District Lodge 776 in Fort Worth, Texas, 1942-1946: A Case Study in the Growth of Organized Labor during World War II" (M.S. thesis, University of North Texas, 1999).

<sup>7</sup> Pinkney, "From Stockyards to Defense Plants," 211-40; Merl E. Reed, "Bell Aircraft Comes South: The Struggle by Atlanta Blacks for Jobs during World War II," in *Labor in the Modern South*, ed. Glenn T. Eskew (Athens: University of Georgia Press, 2001), 102-34; and Jacob Vander Muelen, "Warplanes, Labor, and the International Association of Machinists in Nashville, 1939-1945," in *Southern Labor in Transition, 1940-1995*, ed. Robert Zieger (Knoxville: University of Tennessee Press, 1997), 37-57. The literature on aircraft workers across the nation is similarly sparse. For examples, see John Stanley Olszowka, "From Shop Floor to Flight: Work and Labor in the Aircraft Industry, 1908-1945" (Ph.D. dissertation, State University of New York at Binghamton, 2000); and Charles John McCann, "Labor and the Making of the Postwar Order at the Boeing Company" (Ph.D. dissertation, University of Oregon, 1994).

up social histories of individual plants and sections that would breathe life into what is otherwise a sterile statistical analysis. Though to a certain extent Northrup can be forgiven for this omission due to the report's 1968 publication date, it nevertheless remains a significant weakness and marks the southern aircraft industry as ripe for more substantive, local treatment.<sup>8</sup>

By examining the black freedom struggle during the first four decades of the Fort Worth aircraft industry's existence, this dissertation seeks to fill these obvious historiographical gaps. In doing so, it draws upon and expands the insights found within three strands of scholarly literature: the post-World War II economic miracle of the Sunbelt South; the "long" civil rights movement and the struggle for equal employment; and the relationship between southern unions and African American workers. Of the three historiographies engaged by this dissertation, the literature on the Sunbelt South is perhaps the most varied. Since the term was first coined by Kevin Phillips in 1969 as a description for that portion of the country where conservative voters were likely to forge a new Republican majority, studies of the Sunbelt have most often been directed into two overlapping channels: urban history and political history. For those scholars engaged in this first type of history, the Sunbelt has been defined by the growth of a new type of city in which patterns of land use, demography, and population growth all differ from those set in the nation's older northern cities. Not surprisingly, urban historians also emphasize the broader urbanization of the South and the displacement of rural areas as its main

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<sup>8</sup> Herbert Northrup, *The Negro in the Aerospace Industry* (Philadelphia: Wharton School of Finance and Commerce Industrial Research Unit, 1968).



power brokers.<sup>9</sup> In contrast to urban history's focus on macro issues, political historians have usually attempted to delve deeper into the lives and culture of Sunbelt residents. While such histories provoked a great deal of scholarly debate in their early days, most contemporary scholars now agree that a distinctive brand of politics does in fact exist in the Sunbelt South and that it is defined by issues of race, religion, suburbanization, and individual rights. Studies focusing on race and its impact upon Sunbelt politics have been particularly fruitful, demonstrating that white fears of African Americans can be tied to most of the larger demographic and spatial changes described by urban historians across the region.<sup>10</sup>

Although both urban and political historians necessarily delve into questions concerning the Sunbelt's economic transformation, neither has tended to emphasize just

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<sup>9</sup> See, for example, Carl Abbott, *The New Urban America: Growth and Politics in Sunbelt Cities*, revised ed. (Chapel Hill: University of North Carolina Press, 1987 [1981]); David R. Goldfield, *Cotton Fields and Skyscrapers: Southern City and Region, 1607-1980* (Baton Rouge: Louisiana State University Press, 1982); and David C. Perry and Alfred J. Watkins, *The Rise of the Sunbelt Cities* (Beverly Hills, CA: Sage Publications, 1977).

<sup>10</sup> The contentiousness behind early political debates on the Sunbelt can be seen in Kevin Phillips, *The Emerging Republican Majority* (New Rochelle, NY: Arlington House, 1969); and Kirkpatrick Sale, *Power Shift: The Rise of the Southern Rim and its Challenge to the Northern Establishment* (New York: Random House, 1975). For broader histories of politics in the Sunbelt, see Richard M. Bernard and Bradley R. Rice, eds., *Sunbelt Cities: Politics and Growth since World War II* (Austin: University of Texas Press, 1983); Christopher Silver, *Twentieth-Century Richmond: Planning, Politics, and Race* (Knoxville: University of Tennessee Press, 1984); Ronald H. Bayor, *Race and the Shaping of Twentieth-Century Atlanta* (Chapel Hill: University of North Carolina Press, 1996); Thomas W. Hanchett, *Sorting Out the New South City: Race, Class, and Urban Development in Charlotte, 1875-1975* (Chapel Hill: University of North Carolina Press, 1998); Kevin Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton, NJ: Princeton University Press, 2005); Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, NJ: Princeton University Press, 2006); and Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution* (Princeton, NJ: Princeton University Press, 2007).

how important this was for the development of the region. Unfortunately, histories detailing southern industrialization during the decades after World War II have thus far been fairly limited in both number and scope. One of the earliest works to tackle this issue was James C. Cobb's 1982 study *The Selling of the South*, which examined the southern business ethos and its surprising stability from the New Deal era through the end of the 1970s. Pulling together examples from across the entire region, Cobb outlines the various booster tactics—for example, the promotion of anti-unionism, low taxes, and state subsidies—used by southern businessmen to attract new industries. While this did indeed help to bring about a shift in the regional economy, Cobb argues that it came at the cost of the South's workers who continued to suffer from low wages, poor working conditions, and meager social welfare programs.<sup>11</sup> For a number of years, Cobb's work stood alone as one of the only attempts to explain the South's postwar economic transformation. Led by Gavin Wright and Pete Daniel, a more prolific line of inquiry focused upon the ways that rural life and labor changed in response to New Deal economic policies during the 1930s and 1940s. While these two scholars may have disagreed about the desirability of the changes—the utilitarian Wright tended to view the decline of southern agricultural dependence as an economic necessity, while Daniel was much more nostalgic for the folkways that were lost—both emphasized the federal government as the agent responsible for most of these watershed events. Unlike Cobb, however, both Wright and Daniel were largely silent about the impact of this shift on

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<sup>11</sup> James C. Cobb, *The Selling of the South: The Southern Crusade for Industrial Development, 1936-1980* (Baton Rouge: Louisiana State University Press, 1982). For an account of how the policies discussed by Cobb manifested themselves in the recent economic development of the South, see Michael Dennis, *The New Economy and the Modern South* (Gainesville: University of Florida Press, 2009).

southern cities and the region's new industrial workers during the following decades.<sup>12</sup>

In his own masterfully detailed work *Rural Worlds Lost*, Jack Temple Kirby attempted to correct this problem by expanding the study of the southern agricultural world into the late 1940s and 1950s, but he too ultimately had little to say about the emergence of the Sunbelt's new urban industrial economy.<sup>13</sup>

A common thread running through each of these histories is the role played by the federal government in the southern economic miracle. Perhaps the best elaboration of this theme is Bruce Schulman's *From Cotton Belt to Sunbelt*. Weaving together many of the insights found in the aforementioned historiography, Schulman presents a thorough examination of the federal influence upon the South's industrial and political transformation since the 1930s. At the heart of Schulman's story are the so-called "new Whigs," a group of pro-growth political leaders who effectively manipulated federal grant procedures and contract procurement policies in order to lift their region out of the economic doldrums. Much like the boosters described by Cobb, these southern politicians had few scruples when it came to encouraging federally subsidized economic growth even as they eschewed federal welfare programs that might empower the many people this growth left behind. In one of the first scholarly treatments of the subject, Schulman also outlines how the nation's military and its seemingly unquenchable demand for supplies, soldiers, and services pumped billions of dollars into the South. In return for this economic largesse, strategically situated southern politicians rewarded the

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<sup>12</sup> Gavin Wright, *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (New York: Basic Books); and Pete Daniel, *Breaking the Land: The Transformation of Cotton, Tobacco, and Rice Cultures since 1880* (Urbana: University of Illinois Press, 1985).

<sup>13</sup> Jack Temple Kirby, *Rural Worlds Lost: The American South, 1920-1960* (Baton Rouge: Louisiana State University Press, 1987).

defense establishment with ever-increasing appropriations, large percentages of which were funneled south. More than anything else, says Schulman, it was this cozy relationship between the military and southern politicians that built up the region's economy. "Increasingly, whether it be planting industry, expanding universities and research facilities, or restructuring the regional labor market," Schulman argues, "the representative of the national state in the South was the military."<sup>14</sup>

Schulman's arguments are clearly applicable when one considers the connections between Fort Worth's postwar economic growth and aircraft manufacturing. Like so many other areas in the South, what historian Roger Lotchin would call the "martial metropolis" of Fort Worth grew more and more dependent upon military contracts and federal dollars with every passing year. Unfortunately, the bird's-eye, regional view that Schulman presents of this phenomenon is rather ill-suited to providing details as to how these changes looked locally. Perhaps the most obvious example of this weakness is his silence concerning the lives of the millions of southerners who found employment in these new defense industries. Were these individuals' experiences, both on and off the job, any different from those of other southern industrial workers? How did their

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<sup>14</sup> Bruce Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South, 1938-1980* (New York: Oxford University Press, 1991), 135. For more recent contributions to outlining the link between the South and the military, see Gregory Hooks, "Guns and Butter, North and South: The Federal Contribution to Manufacturing Growth, 1940-1990," in *The Second Wave: Southern Industrialization from the 1940s to the 1970s*, ed. Philip Scranton (Athens: University of Georgia Press, 2001), pp. 255-85; and Robert Lewis, "World War II Manufacturing and the Postwar Southern Economy," *Journal of Southern History*, 73 (November 2007), 837-66. Although he focuses mainly on the American West, Roger W. Lotchin has also noted the connection between Sunbelt cities and the military establishment. See Lotchin, *Fortress California, 1910-1961: From Warfare to Welfare* (New York: Oxford University Press, 1992); and Roger W. Lotchin, ed., *The Martial Metropolis: U.S. Cities in War and Peace, 1900-1970* (New York: Praeger, 1985).

employers' dependence upon defense contracts affect these workers' ability to form unions and bargain with management? Similarly, what effect did federal funding and the oversight that came with it have on race relations in the South's new workplaces? With upwards of 60,000 men and women employed in the contract-dependent industry at peak production, the facilities of Fort Worth's aircraft manufacturers present an ideal context in which to test the larger regional arguments of Schulman, Wright, and others while answering these more locally oriented questions.

In addition to what it reveals about southern economic transformation, Fort Worth's aircraft manufacturing industry also presents an outstanding opportunity to further expand the growing body of literature on the African American struggle for equal employment. Surprisingly, despite the vast amount of interest in the history of civil rights, it was only in recent years that historians began to examine how this movement played out in the southern workplace. Recognizing the challenges it presented to southern employers and its importance for the region's overall development, the earliest accounts of equal employment activity in the South detailed the actions and reactions of black and white workers to new mandates for fair employment during World War II. For the most part, these studies emphasize the activities of the FEPC, the first federal agency solely committed to the problem of on-the-job discrimination against minority workers. Merl Reed first established fair employment as a viable subject for further inquiry in *Seedtime for Civil Rights*, a pioneering examination of the FEPC's national campaigns. Although Reed provided a henceforth unmatched account of the committee as an institution and foreshadowed the important role that the federal government would play in the subsequent history of equal employment, his study sheds little light on the actual

shopfloor struggles engaged in by African American workers.<sup>15</sup> Since then, a handful of scholars have examined the intersections between federal demands for fair employment and local conditions in essays on the wartime shipbuilding, oil refining, and machine tool manufacturing industries. However, as Jacquelyn Hall's now oft-cited historiographical essay on the "long" civil rights movement makes clear, book-length treatments outlining the pivotal roles played by black workers during these gestational years are still wanting.<sup>16</sup>

If the FEPC's postwar demise left black workers without a viable federal ally in the battle for job equality, it also limited the amount of attention that historians gave to fair employment in their studies of subsequent decades. Though it is occasionally mentioned within larger works on the civil rights movement, equal employment has

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<sup>15</sup> Merl Reed, *Seedtime for the Modern Civil Rights Movement: The President's Committee on Fair Employment Practice, 1941-1946* (Baton Rouge: Louisiana State University Press, 1991).

<sup>16</sup> See, for example, Ernest Obadele-Starks, *Black Unionism in the Industrial South* (College Station: Texas A&M University Press, 2000), 101-27; Michael R. Botson, Jr., *Labor, Civil Rights, and the Hughes Tool Company* (College Station: Texas A&M University Press, 2005), 128-45; Bruce Nelson, "Organized Labor and the Struggle for Black Equality in Mobile during World War II," *Journal of American History*, 80 (December 1993), 952-988; Alex Lichtenstein, "Exclusion, Fair Employment, or Interracial Unionism: Race Relations in Florida's Shipyards during World War II," in *Labor in the Modern South*, ed. Glenn T. Eskew (Athens: University of Georgia Press, 2001), 135-57; James Wolfinger, "An Equal Opportunity to Make a Living—and a Life': The FEPC and Postwar Black Politics," *Labor: Studies in Working-Class History of the Americas*, 4 (Summer 2007), 65-94; Eileen Boris, "'You Wouldn't Want One of 'Em Dancing With Your Wife': Racialized Bodies on the Job in World War II," *American Quarterly*, 50 (March 1998), 77-108; and Jacquelyn Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History*, 91 (March 2005), 1233-63. Recent book-length contributions to the history of equal employment during World War II include Emilio Zamora, *Claiming Rights and Righting Wrongs in Texas: Mexican Workers and Job Politics during World War II* (College Station: Texas A&M University Press, 2009); Charles Chamberlain, *Victory at Home: Manpower and Race in the American South during World War II* (Athens: University of Georgia Press, 2003); and Andrew Kersten, *Race, Jobs, and the War: The FEPC in the Midwest, 1941-1946* (Urbana: University of Illinois Press, 2000).

simply not been a priority for scholars examining the civil rights movement during its so-called classical phase from 1954 through the mid-1960s.<sup>17</sup> Instead, recent studies of workplace discrimination have tended to focus most heavily upon the period after 1964 when African Americans used the legal protections granted to them by Title VII and the EEOC to combat inequality in the workplace. Leading this historiographical trend is Timothy Minchin, whose studies of racial integration in the southern textile and papermaking industries have set a high standard for subsequent historians to follow. Drawing upon hundreds of oral history interviews and witness depositions taken from equal employment lawsuits, Minchin was the first historian to examine the struggle against workplace discrimination from the perspective of black workers themselves. Minchin was also one of the first scholars to peer into the effects of Title VII upon workplace discrimination in the years following its passage, pointedly arguing that the new law was not the culmination of the civil rights movement but rather a stimulus for further protest at jobsites across the South.<sup>18</sup> This insight has since been taken up by such

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<sup>17</sup> See, for example, Robert Frederick Burk, *The Eisenhower Administration and Black Civil Rights* (Knoxville: University of Tennessee Press, 1984), 89-108; Carl M. Brauer, *John F. Kennedy and the Second Reconstruction* (New York: Columbia University Press, 1977), 79-84, 147-51, 214-16; and Hugh Davis Graham, *The Civil Rights Era, Origins and Development of National Policy, 1960-1972* (New York: Oxford University Press, 1990), 3-73, 100-121. Some important exceptions to the historiographical blindspot surrounding pre-1964 equal employment efforts include Paul Moreno, *From Direct Action to Affirmative Action: Fair Employment Law and Policy in America, 1933-1972* (Baton Rouge: Louisiana State University Press, 1997); Botson, *Labor, Civil Rights, and the Hughes Tool Company*; Thomas Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, NJ: Princeton University Press, 2005), 91-177; and David M. Lewis-Colman, *Race against Liberalism: Black Workers and the UAW in Detroit* (Urbana: University of Illinois Press, 2008), 52-71.

<sup>18</sup> Timothy Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill: University of North Carolina Press, 1999); Timothy Minchin, *The Color of Work: The Struggle for Civil Rights in the*

scholars as Nancy MacLean, Robert Samuel Smith, and Hugh Davis Graham in their own accounts of post-1964 civil rights activism in the American workplace.<sup>19</sup>

Similar to Schulman's argument on the postwar economic transformation of the Sunbelt South, Minchin's work also emphasizes the role played by the federal government in the integration of the southern workplace, locating the passage of Title VII as the key turning point in this struggle. While they are quite correct to emphasize post-1964 federal intervention as a watershed moment in the history of equal employment, by focusing so heavily upon later events Minchin and those following his example have tended to underestimate the importance of earlier measures aimed at combating job discrimination.<sup>20</sup> Part of the problem lies with the industries that these historians have examined: because they primarily served private markets, southern textile manufacturers and papermakers did not generally fall under the jurisdiction of pre-1964 anti-discrimination agencies, which were concerned exclusively with employers holding government contracts. This oversight is particularly unfortunate when one considers that the FEPC, the PCGC, and the PCEEEO all confronted many of the same questions faced

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*Southern Paper Industry, 1945-1980* (Chapel Hill: University of North Carolina Press, 2003); and Timothy Minchin, *From Rights to Economics: The Ongoing Struggle for Black Equality in the U.S. South* (Gainesville: University of Florida Press, 2007), 28-58, 82-134.

<sup>19</sup> Nancy MacLean, *Freedom is Not Enough: The Opening of the American Workplace* (Cambridge, MA: Harvard University Press, 2006); Robert Samuel Smith, *Race, Labor, and Civil Rights: Griggs vs. Duke Power and the Struggle for Equal Employment Opportunity* (Baton Rouge: Louisiana State University Press, 2008); and Hugh Davis Graham, *Collision Course: The Strange Convergence of Affirmative Action and Immigration Policy in America* (New York: Oxford University Press, 2002).

<sup>20</sup> One important exception to this is Paul Moreno's examination of equal employment from the Depression through the early 1970s. Although it focuses on national discussions of on-the-job racial discrimination and provides few details on the local implications of these debates, Moreno's study correctly emphasizes the evolving nature of fair employment over the a number of years. See Moreno, *From Direct Action to Affirmative Action*.



by the EEOC. With even fewer resources than their post-1964 bureaucratic successor, these agencies began formulating ways to deal with such thorny issues as affirmative action, racial quotas, and labor union cooperation at times when civil rights activism was anything but the seemingly settled moral issue that it became later on. Perhaps even more importantly, the answers that these federal agencies provided and the approaches that they took set precedents that severely circumscribed the acceptable contours of equal employment protest. Put differently, the inability of the EEOC to mount an effective challenge to the deindustrialization that has decimated black employment prospects since the 1970s was a direct consequence of its predecessors' unwillingness to challenge the structural roots of employment discrimination. Because historians have so far neglected these earlier anti-discrimination efforts, we are left with only a partial image of what was arguably the most far-reaching struggle of the entire civil rights movement.

An in-depth examination of the contract-dependent Fort Worth aircraft industry and the struggles of its African American employees from World War II through the 1970s promises to fill in many of these blanks. If black aircraft workers ultimately ended up using the same post-1964 legal strategies as their counterparts in the textile and papermaking industries, the path that they traveled to get there was quite different. For nearly twenty years before the passage of Title VII and the creation of the EEOC, Texas's aircraft manufacturers encountered varying levels of federal anti-discrimination activity under the auspices of the FEPC, the PCGC, and the PCEEEO. In historiographical terms, this dissertation confirms the arguments of Minchin and other scholars regarding the importance of federal power to post-1964 southern workplace integration while simultaneously extending their analysis over a longer period of time. Furthermore, this

study also serves as a reminder to historians that even the most successful forms of federal anti-discrimination action—namely, those that were backed by statutorily created agencies with well-defined punitive measures at their disposal—were severely limited in their effectiveness by policymakers’ refusal to countenance any substantive critique of the instability and inequality inherent within the nation’s unplanned economy.

In comparison to the literature on the Sunbelt and equal employment, studies examining the relationship between southern unions and African Americans have been much more prolific and contentious. Beginning with the classic feud between the supposed followers of labor historian Herbert Gutman and those of former NAACP labor secretary Herbert Hill, this question has sharply divided scholars.<sup>21</sup> At the heart of this debate is a disagreement over the extent to which southern workers, both black and white, were able to subordinate their racial differences to the larger struggle for a unified working-class. While it would be inaccurate to label either side as constituting a well-defined school of thought, there are certain assumptions that characterize their positions. For those in the Hill camp, racism was the single most important defining feature of southern unions and would inevitably undermine all attempts at interracial class alliance. Furthermore, Hill criticized labor historians for allegedly “[minimizing] or [denying] racism in the labor movement because its existence conflicts with the usable past that

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<sup>21</sup> The contours of this dispute can be seen in Herbert Gutman, “The Negro and the United Mine Workers of America: The Career and Letters of Richard L. Davis and Something of Their Meaning: 1890-1900,” in *Work, Culture, and Society in Industrializing America: Essays in American Working-Class and Social History* (New York: Random House, 1976), 121-208; and Herbert Hill, “Myth-Making as History: Herbert Gutman and the United Mine Workers of America,” *International Journal of Politics, Culture, and Society*, 2 (Winter 1988), 132-200.

they are constructing.”<sup>22</sup> For those of the Gutman persuasion, on the other hand, racism was neither constant nor insurmountable. To these historians, southern unions differed in the way that they tackled issues of class and racial consciousness depending upon the context in which they were forged. Though exclusionary unions of the type decried by Hill certainly existed, changing circumstances could just as easily spawn unions in which black and white workers interacted upon equal or near-equal terms.

As noted by Dan Letwin, the contours of this historiographical dispute have ultimately depended upon a variety of factors, including but not limited to the types of cases examined and the historical and moral yardsticks applied by different scholars to their subjects.<sup>23</sup> Though Hill’s followers would argue otherwise, Gutman’s scholarship was driven by his desire to present a source-based, contextualized analysis of union racism and the various ways that southern workers either overcame or succumbed to its presence. Since the mid-1980s, this project has driven virtually all of the most innovative work of the so-called “new” southern labor historians, a group characterized by their focus on richly detailed local studies of working-class southerners. One of the most prolific fields of study has been in the area of workplace race relations during the South’s early efforts at industrialization in the nineteenth and twentieth-centuries. Through their studies of coalminers, longshoremen, iron and steel workers, and textile mill operatives, historians have shown just how varied southern working-class responses to African

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<sup>22</sup> “Race and the Steelworkers Union: White Privilege and Black Struggles, Review Essay of Judith Stein’s *Running Steel, Running America*,” *New Politics*, 8 (Winter 2002), 2. For an examination of the life and legacy of Herbert Hill, see the memorial essays written by Eric Arnesen, Nancy MacLean, Clarence Walker, Nelson Lichtenstein, and Alex Lichtenstein, in *Labor: Studies in Working-Class History of the Americas*, 3 (Summer 2006), 11-39.

<sup>23</sup> Daniel Letwin, “Labor Relations in the Industrializing South,” in *A Companion to the American South*, ed. John B. Boles (Malden, MA: Blackwell, 2002), 434-35.

Americans could be. These reactions ranged from the pragmatic work-sharing agreements of Eric Arnesen's biracial longshoremen and the interracialism of Letwin's unionized coalminers, to the exclusionary unions formed by white steelworkers described in Henry McKiven's account of late-nineteenth and early-twentieth-century Alabama.<sup>24</sup>

In keeping with Gutman's call for further local studies of black-white working-class relations, a number of historians have also examined the fortunes of the Congress of Industrial Organizations (CIO), the leaders of which were at least rhetorically committed to full racial equality in a way that their rivals in the American Federation of Labor (AFL) were not. As had been the case in earlier times, the stance that CIO unions took on race during the southern organizing campaigns of the 1930s and 1940s invariably depended upon the circumstances in which they found themselves. In their studies of working-class activism in Memphis, Tennessee, and Winston-Salem, North Carolina, for example, Michael Honey and Robert Korstad show how black and white workers were able to forge viable if somewhat short-lived interracial unions based on both the activism of radical organizers and the pragmatic considerations of local rank-and-file workers.<sup>25</sup>

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<sup>24</sup> Daniel Letwin, *The Challenge of Interracial Unionism: Alabama Coal Miners, 1878-1921* (Chapel Hill: University of North Carolina Press, 1998); Eric Arnesen, *Waterfront Workers of New Orleans: Race, Class, and Politics, 1863-1923* (New York: Oxford University Press, 1991); Brian Kelly, *Race, Class, and Power in the Alabama Coalfields, 1908-21* (Urbana : University of Illinois Press, 2001); Henry McKiven, Jr., *Iron and Steel: Class, Race, and Community in Birmingham, Alabama, 1875-1920* (Chapel Hill: University of North Carolina Press, 1995); and Bryant Simon, *A Fabric of Defeat : The Politics of South Carolina Millhands, 1910-1948* (Chapel Hill: University of North Carolina Press, 1998).

<sup>25</sup> Michael Honey, *Southern Labor and Black Civil Rights: Organizing Memphis Workers* (Urbana: University of Illinois Press, 1993); Robert Korstad, *Civil Rights Unionism: Tobacco Workers and the Struggle for Democracy in the Mid-Twentieth-Century South* (Chapel Hill: University of North Carolina Press, 2003). For examples of other studies that emphasize the strength of the CIO's interracial union program in the South, see Robin D. G. Kelley, *Hammer and Hoe: Alabama Communists during the*

By contrast, Bruce Nelson's look into the world of longshoremen in New Orleans, Louisiana, and shipyard workers in Mobile, Alabama, uncovered industrial unions whose white members fought hard to preserve their racial privileges by codifying Jim Crow in hiring halls and collective bargaining agreements. According to Robert Norrell and Michael Botson, such discriminatory contracting practices were also quite common among white unionists in the steel mills of Birmingham, Alabama, and the oil tool industry of Houston, Texas, as well.<sup>26</sup> In short, whether these studies conclude by painting portraits of unreconstructed all-white industrial unions or class-conscious racial egalitarians, they all serve to uphold Gutman's larger point about the importance of contextualizing historical accounts of southern workers.

Turning to more recent historical events, this diversity of arguments has been lacking in studies that examine the relationship between organized labor and the civil

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*Great Depression* (Chapel Hill: University of North Carolina Press, 1990); Rick Halpern, "Interracial Unionism in the Southwest: Fort Worth's Packinghouse Workers, 1937-1954," in *Organized Labor in the Twentieth-Century South*, ed. Robert H. Zieger (Knoxville: University of Tennessee Press, 1991), 158-82.

<sup>26</sup> Bruce Nelson, "Class and Race in the Crescent City: The ILWU, from San Francisco to New Orleans," in *The CIO's Left-Led Unions*, ed. Steven Rosswurm (New Brunswick, NJ: Rutgers University Press, 1992), 19-46; Nelson, "Organized Labor and the Struggle for Black Equality"; Robert J. Norrell, "Caste in Steel: Jim Crow Careers in Birmingham, Alabama," *Journal of American History*, 73 (December 1986), 669-94; and Botson, *Labor, Civil Rights, and the Hughes Tool Company*. On the larger debate surrounding the racial practices of the CIO, see the responses to Bruce Nelson's "Class, Race, and Democracy in the CIO: The 'New' Labor History Meets the 'Wages of Whiteness,'" *International Review of Social History*, 41 (December 1996), 351-420; and Michael R. Goldfield's "Race and the CIO: The Possibilities for Racial Egalitarianism during the 1930s and 1940s," *International Labor and Working-Class History*, 44 (Fall 1993), 1-32. For two different perspectives on the southern steel industry, see Judith Stein, "Southern Workers in National Unions: Birmingham Steelworkers, 1936-1951," in Zieger, *Organized Labor in the Twentieth-Century South*, 183-222; and Alan Draper, "The New Southern Labor History Revisited: The Success of the Mine, Mill, and Smelter Workers Union in Birmingham, 1934-1938," *Journal of Southern History*, 62 (February 1996), 87-108.

rights revolution of the 1950s and 1960s. Softly echoing Hill's earlier arguments, most accounts of the postwar southern labor movement have tended to argue that the majority of white union members took conscious stands in opposition to black equality, with many going so far as to use their union's resources to halt the advance. This was precisely the conclusion reached by Alan Draper in his important 1994 work *Conflict of Interests*. Looking at such watershed events as the *Brown v. Board of Education* decision and AFL-CIO president George Meany's calls to desegregate southern workplaces, Draper finds that most southern rank-and-file unionists not only verbally protested these actions but also joined anti-labor white Citizens Councils in order to reverse the momentum of the civil rights movement. Though Draper draws a clear distinction between union leaders, most of whom understood the practical necessity of civil rights, and their less enlightened members, the message was clear to see.<sup>27</sup> In his studies of the textile and papermaking industries, Timothy Minchin has reached similar conclusions concerning the unwillingness of southern unionists to countenance the integration of their workplaces and union halls. Digging even deeper than the wide-ranging Draper, Minchin details the ways in which majority-white unions used such contractual mechanisms as dual seniority lists and segregated lines of occupational promotion to effectively lock black industrial workers into menial, low-paying jobs. As mentioned above, only the intercession of the federal government through the EEOC and Title VII was able to put a stop to such

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<sup>27</sup> Alan Draper, *Conflict of Interests: Organized Labor and the Civil Rights Movement in the South, 1954-1968* (Ithaca, NY: ILR Press, 1994).

practices, and even then it took years of expensive litigation and court orders before most southern unions agreed to mend their ways.<sup>28</sup>

In its examination of local IAM and UAW unions in Fort Worth's main aircraft plants, this dissertation draws heavily upon each of these several historiographical strands. Minchin and Draper's postwar studies provide insights about the importance of the federal government and local union leadership in determining white reactions to civil rights, while Honey and Korstad's accounts serve as reminders that pragmatic interracial unionism was indeed possible under certain circumstances. In general, this dissertation is infused with the lessons of the "new" southern labor historians, the most important of which is their insistence upon deeply contextualized local analysis. Because of the military aircraft industry's volatile demand for labor and its dependence upon federal contracts containing anti-discrimination clauses, a form of pragmatic interracial unionism developed among Fort Worth aircraft workers that was unique within the South for its moderate treatment of African Americans. Though the officers in charge of these unions typically agreed with the white rank-and-file in their opposition to "social equality," they nevertheless carefully protected the economic rights of black and white members alike through forceful shopfloor representation and the negotiation of inclusionary contracts. In other words, local conditions—not the least of which was the economic structure of the industry in which they worked—dictated that Fort Worth's aircraft unions adopt a more moderate stance on questions of race than their counterparts in other areas of the South. Taking place in a region where union discrimination against African Americans

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<sup>28</sup> Minchin, *Hiring the Black Worker*, 233-63; and Minchin, *Color of Work*, 73-111. For a different perspective concerning Title VII and southern unions, see Judith Stein, *Running Steel, Running America: Race, Economic Policy, and the Decline of Liberalism* (Chapel Hill: University of North Carolina Press, 1998), 69-195.

tended to be the rule rather than the exception, the racial moderation of Fort Worth's IAM and UAW locals was a significant development. Through their actions, these unions centrally located themselves along a broad spectrum of responses to the upheavals brought about by civil rights and the African American struggle for workplace equality.

In order to accomplish these various historiographical goals, this dissertation relies heavily upon the papers of various federal agencies, equal employment lawsuits and the witness depositions attached to them, and the available records of the unions involved at the plants. Reflective of their importance to the history of the Fort Worth aircraft industry, the dissertation is arranged chronologically with every chapter except for the second organized around a particular federal anti-discrimination agency. Chapter I examines the investigations of the FEPC into allegations of employment discrimination against African Americans in the newly opened plants of Convair and North American Aviation during World War II. At both facilities, management's desire to protect its traditional prerogatives with regard to hiring, firing, and promotions led them to initially oppose the FEPC's demands. However, through the diligence and skillful negotiating of the committee's regional investigator, this resistance was gradually overcome, resulting in significant if somewhat short-lived gains for African American workers. Chapter I also introduces the IAM and the UAW. Although these two unions had very different policies with regard to African Americans at the national level—the UAW advocated interracialism while the IAM was for whites only—their Fort Worth locals both cooperated with the FEPC as a means of expanding union membership and enforcing the provisions of recently signed collective bargaining agreements. This pragmatic economic interracialism was all the more significant insofar as it was the last time that



the local aircraft unions would advocate fair employment in either principle or practice for nearly two decades.

Chapter II covers the period from the end of World War II to roughly 1954 and focuses heavily upon the IAM's attempts to adjust to a peacetime economy at both the local and national levels. With the closing of North American and mass layoffs at Convair, African American employment shrank rapidly and the remaining union, IAM District Lodge 776, shifted its attention away from the problem of racial discrimination to shopfloor issues affecting all workers. At the same time that this was happening, the national IAM, which was rapidly emerging as one of the labor movement's fastest growing industrial unions, began to reassess its relationship with African Americans. The most notable result of this was the elimination of the union's color barrier and its development of relationships with various civil rights organizations. This transformation filtered down to the local level as District 776 bucked the trend set by most southern unions and developed a colorblind approach to grievances, negotiations, and other economic contract disputes.

Chapters III and IV return once again to the theme of federal anti-discrimination policy, focusing on the fair employment efforts of the PCGC during the Eisenhower administration and the PCEEO during the Kennedy administration. Compared even to the ephemeral gains made by the FEPC, these committees—both of which were created by presidential decree and directed at enforcing non-discrimination among companies holding government contracts—brought little lasting change in the status of African American aircraft workers. Throughout its eight years of existence, the PCGC was hobbled by an extremely convoluted complaint procedure that favored adjusting the

grievances of individual black workers rather than attacking the problem of employment discrimination head-on. Although its local investigations of General Dynamics, Bell Helicopter, and Chance Vought uncovered evidence of widespread racial discrimination, the PCGC had neither the resources nor the punitive authority necessary to enforce anything more than token compliance among these and other contractors. In fact, the only lasting legacy that the PCGC left behind was its unwillingness to more deeply examine the structural causes of black employment discrimination. By failing to take a broader approach, the PCGC committed the federal government to a hamstrung fair employment strategy.

Turning to the PCEEO, this agency seemed like it might correct the weaknesses of its predecessor. Besides having the authority to initiate its own investigations, the PCEEO could also cancel the contracts of recalcitrant employers, a power that it used on more than one occasion. However, if this invigorated agency initially generated hope and support among black workers, it quickly squandered this goodwill with a voluntary compliance program aimed at the nation's largest contractors. The brainchild of one of Kennedy's southern advisors, this so-called Plans for Progress program was lambasted by civil rights groups as an exercise in tokenism that effectively hid the problem of employment discrimination behind a façade of conciliatory public pronouncements by corporate leaders. The experience of Fort Worth aircraft producers, each of which eventually signed one of these agreements, demonstrated the ultimate futility of the PCEEO: even as Plans for Progress led to the desegregation of in-plant facilities and introduced managers and workers to new ideas about affirmative action, black employment in the industry remained stagnant. The IAM and the UAW also continue to

be central to these two chapters as both local unions continued their efforts to contractually represent black workers without arousing the ire of white members who would have preferred otherwise.

Chapter V focuses on the impact that Title VII of the 1964 Civil Rights Act had on employment discrimination in the Fort Worth plants. Initially the passage of this new law evoked little response from local aircraft manufacturers, but a series of early lawsuits brought by black workers soon awakened management to the need to correct their discriminatory practices before their government contracts were threatened. By the end of the 1960s, both General Dynamics and Bell had initiated a series of measures that were at least marginally successful at increasing the number of African Americans hired and the job opportunities available to them. Unfortunately, just as this equal employment drive was gaining steam, the vicissitudes of the military aircraft industry intervened, leading to the laying off of several thousand workers throughout the early 1970s. Soon thereafter, a number of African Americans enlisted the help of the EEOC and initiated lawsuits against the companies alleging that historical patterns of discrimination were still quite prevalent. The remainder of the chapter provides details of these complaints in the voices of the workers themselves while grappling with the larger question of who was responsible for this continued discrimination. Although the companies inevitably tried to pin the blame on the unions, evidence drawn from contracts and union correspondence indicates that both the IAM and UAW remained quite consistent in their treatment of members regardless of race.

The story recounted here is not a simple one. The first forty years of the Fort Worth aircraft industry were marked not only by innumerable interactions between the

institutions of labor, management, and the federal government, but also by the relationships forged among individual workers, both black and white alike. To further complicate matters, many of the issues that are so central to this story—the relationship between the state and its suppliers, the underemployment of African Americans, and the unwillingness of policymakers to confront the structural causes of inequality, to name but three—continue to confront society into the present. Regardless of the complexity, it is an account that must be told. A study of the Fort Worth aircraft industry provides a window into some of the most important changes confronted by the South during the twentieth-century. Even more importantly, however, such a study ensures that the lengthy struggles of ordinary people like Alton Blanton receive the historical attention that they deserve.

## CHAPTER 1

### **“A SATISFACTORY ADJUSTMENT WITHOUT ITS SUBSTANCE”: WARTIME STRUGGLES FOR FAIR EMPLOYMENT, 1941-1945**

Don Ellinger was a frustrated man in the summer of 1944. Lead examiner for the Fair Employment Practice Committee's (FEPC) Region X office in Dallas, Texas, Ellinger and his coworkers had spent the last two years working to obtain entry for African Americans into the all-white training facilities at Consolidated-Vultee Aircraft Corporation's (Convair) bomber factory in nearby Fort Worth. Neither conferences, surveys, nor appeals to management had worked; in fact, Ellinger complained, Convair's discriminatory practices had actually grown worse since he began his investigations, expanding into such areas as hiring, upgrades, and discharge. “The attitude of the company, which from the first has been negative, is now openly hostile,” he lamented, and the only means of affecting a resolution appeared to be through costly public hearings. Despite this overwhelmingly negative assessment, Ellinger admitted that there was at least one small bright spot in the situation. Although African Americans were prohibited from joining the International Association of Machinists (IAM), J. D. Smith, president of District Lodge 776, had offered his union's cooperation to the FEPC, in effect challenging the racial practices of both the local aircraft industry and setting himself apart from the vast majority of southern labor activists. In an even more progressive gesture for a white union president from the South, Smith had also threatened to initiate arbitration proceedings against Convair and its management for unjustly firing an African American janitor, ultimately gaining his reinstatement. Having faced such fierce opposition from management at the plant, it must have pleased Ellinger to be able

to report back to his superiors in Washington that Smith and District 776 “took a strong stand and fully represented the [black] worker as if he were a member of the IAM.”<sup>1</sup>

This brief glimpse into the inner workings of Fort Worth’s largest aircraft manufacturing facility both confirms and challenges a number of interrelated historical arguments surrounding the struggle for fair employment in the World War II South. First, Ellinger’s frustration with Convair fits a pattern well known to scholars who have examined the short-lived FEPC. Since the 1970s, numerous studies have laid bare the effects of outside opposition and organizational weakness on the ability of the committee to carry out its work. In his examination of the FEPC’s administrative history, for example, Merl Reed paints a picture of an embattled committee that could encourage fair employment through investigations and public hearings yet lacked the authority to issue sanctions or demand full compliance. Notwithstanding the courage and tenacity of its integrated staff, Reed concludes that this innately weak federal agency was barely able to dent the surface of the South’s caste-bound racial system, let alone overturn it, in the face of employer opposition.<sup>2</sup> Local accounts of the FEPC’s investigations in the southern

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<sup>1</sup> Don Ellinger to Will Maslow, June 29, 1944, Folder “Consolidated-Vultee Aircraft Corp., 10-BR-235,” Box 2, Closed Cases, Records of the Committee on Fair Employment Practice, Record Group 228, National Archives and Records Administration-Southwest Region, Fort Worth, Texas (hereinafter cited as RG 228); and Don Ellinger to Clarence Mitchell, July 21, 1944, Closed Cases, Box 6, “International Association of Machinists, 10-UR-418,” *ibid*.

<sup>2</sup> Merl E. Reed, *Seedtime for the Modern Civil Rights Movement: The President’s committee on Fair Employment Practice, 1941-1946* (Baton Rouge: Louisiana State University Press, 1991). More recently, Charles Chamberlain had upheld Reed’s assessment of the FEPC in *Victory at Home: Manpower and Race in the American South during World War II* (Athens: University of Georgia Press, 2003). For detailed studies of the committee’s activity in other regions of the nation, see Andrew Kersten, *Race, Jobs and the War: The FEPC in the Midwest, 1941-46* (Urbana: University of Illinois Press, 2000); and Clete Daniel, *Chicano Workers and the Politics of Fairness: The FEPC in the Southwest, 1941-1945* (Austin: University of Texas Press, 1991).

shipbuilding, oil refining, and railroad industries have all reached similar conclusions concerning managerial resistance, the committee's institutional weaknesses, and their combined effect on black job prospects.<sup>3</sup>

Considering Ellinger's protracted efforts to secure even minimal compliance from Convair, the Fort Worth aircraft industry clearly fits within the historiographical consensus surrounding the FEPC's shortcomings.<sup>4</sup> And yet the story of the committee's brief life is more than just a tale of ineffectiveness and defeat. As weak as it may have been, the FEPC was an important element in the ephemeral but undeniable economic gains made by black workers during World War II. Across the nation, the number of African Americans employed in defense production increased from just 3 percent of the industry's total workforce in 1942 to more than 8 percent by 1945. During the same period in the South, African Americans experienced a total employment gain of some

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<sup>3</sup> Merl Reed, "FEPC, the Black Worker, and the Southern Shipyards," *South Atlantic Quarterly*, 74 (Autumn 1975), 447-67; Bruce Nelson, "Organized Labor and the Struggle for Black Equality in Mobile during World War II," *Journal of American History*, 80 (December 1993), 952-88; Emilio Zamora, "The Failed Promise of Wartime Opportunity for Mexicans in the Texas Oil Industry," *Southwestern Historical Quarterly*, 95 (January 1992), 323-50; and Alexa Henderson, "FEPC and the Southern Railway Case: An Investigation into Discriminatory Practices during World War II," *Journal of Negro History*, 61 (April 1976), 173-87. General histories of the FEPC include Reed, *Seedtime for Modern Civil Rights*; Louis Ruchames, *Race, Jobs, and Politics: The Story of the FEPC* (New York: Columbia University Press, 1953); Herbert Garfinkel, *When Negroes March: The March on Washington Movement in the Organizational Politics for FEPC* (New York: Atheneum, 1969); and Judson MacLaury, *To Advance Their Opportunities: Federal Policies Toward African American Workers from World War I to the Civil Rights Act of 1964* (Knoxville, TN: Newfound Press, 2008), 89-110.

<sup>4</sup> Although there is not yet any full treatment of the wartime struggle for fair employment in the Fort Worth aircraft factories, the industry is sporadically mentioned in Chamberlain, *Victory at Home*.

900,000 jobs.<sup>5</sup> Ellinger's frustrations notwithstanding, black workers even made advances in the Fort Worth aircraft industry, eventually occupying several thousand positions at Convair and its rival North American Aviation in the nearby town of Grand Prairie. In their efforts to explain this important economic moment, historians have advanced two main arguments. Not surprisingly, the first of these explanations tends to minimize the importance of the FEPC and instead looks to wartime labor markets for answers. According to these scholars, it was the extreme shortage of manpower during the war that necessitated the temporary opening of jobs and industries long closed to African Americans. In this equation, the FEPC was symbolically important but otherwise accomplished very little for black workers.<sup>6</sup> Standing against this economic interpretation is a more recent group of historians whose work focuses specifically on the FEPC. While recognizing the institutional weaknesses of the committee, this second group of scholars tends to afford it a great deal more significance. In his study of fair employment in the Midwest, for example, Andrew Kersten argues that even in cities like Detroit where labor shortages were indeed a chronic problem, discriminatory patterns of employment persisted throughout the war. It was only through the continuous intercession of the FEPC and such allied organizations as the National Association for the

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<sup>5</sup> David M. Kennedy, *Freedom from Fear: The American People in Depression and War, 1929-1945* (New York: Oxford University Press, 1999), 775; and Chamberlain, *Victory at Home*, 158.

<sup>6</sup> William Chafe, *The Unfinished Journey: America Since World War II*, 6th ed. (New York: Oxford University Press, 2007); Richard Polenberg, *War and Society: The United States, 1941-1945* (Westport, CT: Greenwood Press, 1980); David Brody, "The New Deal and World War II," in *The New Deal: The National Level*, eds. John Braeman, et al. (Columbus: Ohio State University Press, 1975). Also see Neil Wynn, *The Afro-American and the Second World War* (New York: Holmes & Meiers, 1976); and Barton J. Bernstein, "America in War and Peace: The Test of Liberalism," in *Towards a New Past: Dissenting Essays in American History*, ed. Barton J. Bernstein (New York: Pantheon, 1968).



Advancement of Colored People (NAACP), the Detroit Urban League, and the United Automobile Workers (UAW) that black workers were eventually able to enjoy the fruits of wartime prosperity.<sup>7</sup>

While there is some truth in both of these interpretations, it is Kersten's naming of a labor union as partner to the FEPC that is most significant. To the extent that African Americans were able to break down discriminatory barriers during the war, they were dependent upon the willingness of local organizations to lend their resources and influence to the government's fair employment investigations. As Ellinger's praise for the actions of J. D. Smith and the lily-white IAM indicates above, it was exactly this type of cooperation that defined the FEPC's relationship with unions in Fort Worth. Indeed, had it not been for the willingness of both IAM District 776 and its cross-town counterpart UAW Local 645 to reject the racist excuses used by Convair and North American to justify their discriminatory practices, it is unlikely that African Americans would have secured even temporary concessions through the proceedings of the institutionally weak FEPC. The question, however, is why? Why would the local leadership of a union such as the IAM—whose whites-only membership ritual was held up as a prime example of institutionalized working-class racism even in its own time—challenge the culture of its own organization by helping African Americans? More broadly, what could compel the recallable officers of either aircraft union to flaunt the racial mores of their membership in order to assist a government agency whose sole purpose was conceived by many as limiting the rights of white southerners?

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<sup>7</sup> Kersten, *Race, Jobs and the War*, 4. Also see Reed, *Seedtime for Modern Civil Rights*, 9-10.

Unfortunately, the voluminous scholarship on working-class race relations during the 1940s provides few answers to these questions. On one side of the debate are those like Kersten who see the potential for interracial cooperation residing most prominently within the UAW and other left-leaning industrial unions, especially those affiliated with the Congress of Industrial Organizations (CIO). In their studies of automobile manufacturing, tobacco processing, rubber production, and meatpacking, these scholars contend that union support for equal employment was largely driven by an ideological commitment to racial equality that was itself premised on the need to organize the heavily interracial workforces of these industries.<sup>8</sup> By contrast, the other side of this historiographical coin typically emphasizes the racial obstructionism practiced by many of the craft unions affiliated with the American Federation of Labor (AFL). One of the most oft-cited examples within this scholarly tradition is that of the West Coast boilermakers, whose decision to defy an FEPC order ultimately led to a California Supreme Court case in which the AFL-affiliated union's discriminatory membership

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<sup>8</sup> See, for example, Kersten, *Race, Jobs, and the War*, 5; Robert Korstad and Nelson Lichtenstein, "Opportunities Found and Lost: Labor, Radicals, and the Early Civil Rights Movement," *Journal of American History*, 75 (December 1988), 786-811; Robert Korstad, *Civil Rights Unionism: Tobacco Workers and the Struggle for Democracy in the Mid-Twentieth-Century South* (Chapel Hill: University of North Carolina Press, 2003), 142-250; Michael Honey, *Southern Labor and Black Civil Rights: Organizing Memphis Workers* (Urbana: University of Illinois Press, 1993), 177-213; and Rick Halpern, *Down on the Killing Floor: Black and White Workers in Chicago's Packinghouses, 1904-54* (Urbana: University of Illinois Press, 1997), 167-218. On the sources and frequent ambiguity of the CIO's racial egalitarian ideology, see Michael Goldfield, "Race and the CIO: The Possibilities for Racial Egalitarianism during the 1930s and 1940s," *International Labor and Working Class History*, 44 (Fall 1993), 1-32; and Bruce Nelson, "Class, Race, and Democracy in the CIO: The 'New' Labor History Meets the 'Wages of Whiteness,'" *International Review of Social History*, 41 (December 1996), 351-74.

practices were declared illegal.<sup>9</sup> Closer to home in the burgeoning southern aircraft industry, Jacob Vander Muellen has linked union opposition to the FEPC to the intense organizing struggles between rival AFL and CIO unions in the AVCO-Vultee plant in Nashville, Tennessee. In this case, the all-white IAM lodge (AFL) defended the company's discriminatory hiring practices and labeled the FEPC's investigations as an attempt to help the racially integrated UAW (CIO) organize.<sup>10</sup> Other scholars have pointed out similar anti-FEPC activity among local unions affiliated with both the AFL and the CIO in the shipbuilding, refining, and oil tool industries as well.<sup>11</sup>

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<sup>9</sup> On the boilermakers' challenge, see Reed, *Seedtime for Modern Civil Rights*, 267-317; and William H. Harris, "Federal Intervention in Union Discrimination: FEPC and West Coast Shipyards during World War II," *Labor History*, 22 (Summer 1981), 325-47. For a comparative account of the boilermakers' experience on both the West and East coasts, see Andrew Kersten, *Labor's Home Front: The American Federation of Labor during World War II* (New York: New York University Press, 2006), 68-99.

<sup>10</sup> Jacob Vander Muelen, "Warplanes, Labor, and the International Association of Machinists in Nashville, 1939-1945," in *Southern Labor in Transition, 1940-1995*, ed. Robert Zieger (Knoxville: University of Tennessee Press, 1997), 37-57.

<sup>11</sup> Merl Reed, "The FEPC, the Black Worker, and the Southern Shipyards," *South Atlantic Quarterly*, 74 (Autumn 1975), 446-67; Nelson, "Organized Labor and the Struggle for Black Equality in Mobile," 952-88; Ernest Obadele-Starks, *Black Unionism in the Industrial South* (College Station: Texas A&M University Press, 2000), 101-27; Emilio Zamora, *Claiming Rights and Righting Wrongs in Texas: Mexican Workers and Job Politics during World War II* (College Station: Texas A&M University Press, 2009), 125-203; Zamora, "Failed Promise of Wartime Opportunity," 323-50; and Michael R. Botson, Jr., *Labor, Civil Rights, and the Hughes Tool Company* (College Station: Texas A&M University Press, 2005), 133-36. Also see Bruce Nelson, "'CIO Meant One Thing for the Whites and Another Thing for Us': Steelworkers and Civil Rights, 1936-1974," in Zieger, *Southern Labor in Transition*, 113-45; Robert J. Norrell, "Caste in Steel: Jim Crow Careers in Birmingham, Alabama," *Journal of American History*, 73 (December 1986), 669-94; Nancy L. Quam-Wickham, "Who Controls the Hiring Hall? The Struggle for Job Control in the ILWU during World War II," in *American Labor in the Era of World War II*, eds. Sally M. Miller and Daniel A. Cornford (Westport, CT: Greenwood Press, 1995), 120-44; Eileen Boris, "'You Wouldn't Want One of 'Em Dancing With Your Wife': Racialized Bodies on the Job in World War II," *American Quarterly*, 50 (March 1998), 77-108; and Katherine Archibald, *Wartime Shipyard: A Study in Social Disunity* (Berkeley: University of California Press, 1947). Broader accounts of the ambiguous relationship between the FEPC and the labor movement can be found in

Considered within the context of the Fort Worth aircraft plants, neither of these interpretations offers a satisfactory explanation for the FEPC-friendly activities of organized labor. While the lily-white IAM District 776 certainly would not be categorized as left-leaning, the segregated UAW Local 645 also never showed much of a penchant for progressive racial ideology. Nor did either local ever have to contend with the presence of a large African American workforce, a fact that in other circumstances helped moderate the institutional racism of certain unions. This being the case, what inspired the racially moderate actions of these two locals? Why, in the absence of either ideological or organizational motives, did neither of these unions emulate the blatant racism of more exclusionary labor organizations? In order to understand their motives, the actions of District 776 and Local 645 on behalf of African Americans need to be viewed from a more practical standpoint. As Alex Lichtenstein has demonstrated in a recent study of Florida's wartime shipyards, when considering working-class race relations and the efficacy of the FEPC it is best to focus on such contextual factors as the strength of local unions, the attitudes of union officials, and the level of hostility toward organized labor that existed among plant management.<sup>12</sup> It is only by examining such

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Herbert Hill, *Black Labor and the American Legal System, Part I: Race, Work and the Law* (Washington, D.C.: Bureau of National Affairs, 1977), 173-381; Philip S. Foner, *Organized Labor and the Black Worker, 1619-1973* (New York: Praeger, 1974), 238-68; and Paul Moreno, *Black Americans and Organized Labor: A New History* (Baton Rouge: Louisiana State University Press, 2006).

<sup>12</sup> Alex Lichtenstein, "Exclusion, Fair Employment, or Interracial Unionism: Race Relations in Florida's Shipyards during World War II," in *Labor in the Modern South*, ed. Glenn T. Eskew (Athens: University of Georgia Press, 2001), 135-57. This point is also made in Goldfield, "Race and the CIO," 1-32; and Robert Korstad "The Possibilities for Racial Egalitarianism: Context Matters," *International Labor and Working Class History*, 44 (Fall 1993), 41-44. For a well-written piece demonstrating that local conditions often colored race relations even within the most discriminatory unions, see Kersten, *Labor's Home Front*, 68-99.

local contextual factors as these, Lichtenstein concludes, that we can move beyond monolithic portrayals of racist union leaders standing in the way of African American economic advancement.

This observation rings especially true when considering the unique situation that prevailed among the unions at Convair and North American. In both settings, newly formed locals of the IAM and the UAW worked alongside the FEPC not out of any ideological affinity for racial equality but rather as a means of advancing their own organizational strength in the face of determined managerial resistance. So long as they unflinchingly refused to broach the taboo subject of social equality, the local leaders of these unions were able to successfully conflate the economic grievances suffered by African Americans—who never presented much of a numerical challenge to the area's white aircraft workers anyway—with the managerial abuse visited upon aircraft workers in general. These efforts to legitimize the unions' collective bargaining authority, self-serving though they may have been, nevertheless benefited both black workers and the FEPC. By demanding a workplace in which management's actions were constrained by a set of fairly negotiated contractual rules, local IAM and UAW leaders struck an important if unintended blow against the arbitrariness of wartime employment discrimination and situated themselves alongside the FEPC as agents of change in the segregated South. Regrettably, not even this brief alliance was enough to fully surmount the massive problem of employment discrimination. Lacking both the ability and the willingness to plan more broadly for the inevitable postwar downturn in defense production, the FEPC assured that black aircraft workers would eventually be forced to face the structural inequality of the aircraft industry's volatile labor market alone. Ultimately, this

shortsightedness called into question the commitment of the liberal New Deal state to bring about real solutions to the problem of employment discrimination.

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The prelude to the FEPC's investigations in north Texas began on June 25, 1941, when President Franklin D. Roosevelt issued Executive Order 8802 "[encouraging] participation in the national defense program by all citizens...regardless of race, creed, color, or national origin." Mandating that all defense training programs were to be administered free of discrimination and all federal defense contracts were to contain a non-discrimination clause, the order also established the FEPC to ensure that these orders were observed by employers in the bustling wartime economy. Black workers in Texas and across the country had every reason to celebrate this event. Besides promising unprecedented federal support for struggles against economic inequality, E. O. 8802 also provided a psychological boost insofar as it was the brainchild of A. Philip Randolph, the well-known African American leader of the Brotherhood of Sleeping Car Porters. Almost immediately, letters from minority workers around the country poured into the FEPC's Washington office to ask for help battling the racism of employers, fellow workers, and unions. Unfortunately, the first year of the new anti-discrimination agency's life left these hopes largely unfulfilled. The organizational jurisdiction of the FEPC remained in flux until July 1942, when the committee was finally given a semi-permanent home under the authority of the War Manpower Commission (WMC). As it turned out, WMC head Paul McNutt was little interested in Roosevelt's fair employment program and sought to marginalize the FEPC by cutting its already limited budget and denying it access to sorely needed staff resources. Although the committee did manage

to hold several nationally publicized hearings on workplace discrimination, including one on southern industry in Birmingham, Alabama, the obstacles set up by McNutt left it ill-suited to address the complaints of African Americans in Texas or any other area of the country throughout most of 1942.<sup>13</sup>

At the same time that the FEPC was attempting to establish itself as a viable anti-discrimination agency, the southern economy was undergoing a dramatic transformation as well. Through massive infusions of capital in the form of military contracts and construction subsidies, federal intervention thrust the region into the national economic mainstream and signaled to the world that Dixie was a crucial link in the production chain forged by the Arsenal of Democracy.<sup>14</sup> Although it may be an exaggeration to argue as some do that this period was more important than the Civil War, there can be

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<sup>13</sup> Executive Order No. 8802, June 25, 1941, <http://docs.fdrlibrary.marist.edu/od8802t.html> (accessed June 7, 2010); Reed, *Seedtime for Modern Civil Rights*, 10-15, 21-76; MacLaury, *To Advance Their Opportunities*, 94-99; and Zamora, "Failed Promise of Wartime Opportunity," 329-30.

<sup>14</sup> Chamberlain, *Victory at Home*, 137-38. For an excellent historiographical essay on World War II and its impact on the South, see James C. Cobb, "World War II and the Mind of the Modern South," in *Remaking Dixie: The Impact of World War II on the American South*, ed. Neil McMillen (Jackson: University of Mississippi Press, 1997), 3-20. Also see Gregory Hooks, "Guns and Butter, North and South: The Federal Contribution to Manufacturing Growth, 1940-1990," in *The Second Wave: Southern Industrialization from the 1940s to the 1970s*, ed. Philip Scranton (Athens: University of Georgia Press, 2001), 255-85; Bruce Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South, 1938-1980* (New York: Oxford University Press, 1991), 88-111; Gavin Wright, *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (New York: Basic Books, 1986), 239-74; George Brown Tindall, *The Emergence of the New South, 1913-1945* (Baton Rouge: Louisiana State University Press, 1967), 687-731; James C. Cobb, *The Selling of the South: The Southern Crusade for Industrial Development, 1936-1990* (Baton Rouge: Louisiana State University Press, 1982); and Gerald T. White, *Billions for Defense: Government Financing by the Defense Plant Corporation during World War II* (University: University of Alabama Press, 1980). More recently, geographer Robert Lewis has questioned whether wartime manufacturing provided a basis for southern economic transformation. See Lewis, "World War II Manufacturing and the Postwar Southern Economy," *Journal of Southern History*, 73 (November 2007), 837-66.

little doubt of the war's economic impact on the South: by 1942, average wages had jumped by 40 percent and manufacturing had expanded by at least half. Southern cities such as Fort Worth—the economy of which had been heavily dependent upon the export of oil, cattle, and other raw materials before the war—suddenly became flush with new jobs and industry. Out of the \$7.6 billion in defense contracts that Texas received, Dallas and Fort Worth took in approximately \$2.3 billion, a massive sum that set the area apart as one of the South's greatest beneficiaries of wartime largesse.<sup>15</sup>

At the forefront of this federally financed industrial revolution were the massive aircraft plants operated by Convair and North American. The story of north Texas's rise to prominence as an aircraft manufacturing center began in 1939 when Amon Carter, Sr., Fort Worth's number one booster, began a massive propaganda campaign to recruit what was then known as the Consolidated Aircraft Corporation. Although the city had many things going for it (not the least of which was Carter's personal friendship with Consolidated president Reuben Fleet), the San Diego company initially set its sights on a tract of land west of Dallas near the farming community of Grand Prairie. Perhaps under pressure from Carter, however, Consolidated backed out of this deal, thus opening the way for the Defense Plant Corporation's decision to construct a \$7 million plant on the site and lease it to North American in September 1940. Initially, this announcement appeared to offer a grim fate for Fort Worth's chances of securing its own aircraft

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<sup>15</sup> Morton Sosna, "More Important than the Civil War? The Impact of World War II on the South," in *Perspectives on the American South: An Annual Review of Society, Politics, and Culture*, No. 4, eds. James C. Cobb and Charles R. Wilson (New York: Gordon & Breach, 1987): 145-61; Schulman, *From Cotton Belt to Sunbelt*, 72; Kathryn Pinkney, "From Stockyards to Defense Plants, The Transformation of a City: Fort Worth, Texas, and World War II" (Ph.D. dissertation, University of North Texas, 2003), 26-32, 51-52, 78-80; and Richard F. Selcer, *Fort Worth: A Texas Original!* (Austin: Texas State Historical Association, 2004), 56-63.



factory—with a desire to spread both the nation’s strategic resources and its wartime wealth, the Army Air Corps favored a more distant site in Oklahoma. But this only stiffened the resolve of the pugnacious Carter, who responded by personally pressing the city’s case with influential bureaucrats, legislators, and even Roosevelt himself. Finally, after several tense months, on January 3, 1941, the War Department compromised by announcing that it would build aircraft factories in both Fort Worth and Tulsa. On April 18, 1941, less than two weeks after the North American facility in Grand Prairie was dedicated, a silver spade broke the ground for the \$10 million plant in Fort Worth. Leased by the government to Consolidated—which was subsequently purchased by the Vultee Aircraft Corporation and became known by the acronym Convair—the Fort Worth plant became the largest fully automated aircraft factory in the world when it was completed in April 1942.<sup>16</sup>

With the opening of North American and Convair, north Texas joined what was already becoming one of the largest and most important segments of the nation’s defense effort. Throughout the country, prime military aircraft manufacturers employed more than 750,000 workers, with subcontractors employing another 250,000. While much of this workforce was concentrated on the West Coast, the residents of Dallas, Fort Worth, and the surrounding environs also contributed mightily to building up the nation’s airpower. By the end of the war, North American’s Grand Prairie facility was employing

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<sup>16</sup> “Huge Airplane Plant Dedicated by Knudsen,” *Dallas Morning News*, April 8, 1941; “Dirt Broken in Rain for Plane Plant,” *Dallas Morning News*, April 19, 1941; Roger Bilstein and Jay Miller, *Aviation in Texas* (Austin: Texas Monthly Press, 1985), 94-95; and Pinkney, “From Stockyards to Defense Plants,” 80-95. On the Defense Plant Corporation’s financing of aircraft facilities, see White, *Billions for Defense*, Ch. 6. The best biography of Carter is Jerry Flemmons, *Amon: The Life of Amon Carter, Sr. of Texas* (Austin: Jenkins Publishing Co., 1978).

nearly 39,000 workers, while Convair's payroll bulged with some 30,500 employees. As was the case throughout the nation, these two plants became increasingly dependent on women as more and more men were shipped overseas. Within a year after North American hired its first female production workers in November 1941, at least 30 percent of the plant's employees were women. Female employment statistics at Convair were equally impressive with nearly 11,600 women (approximately 38 percent) engaged in assembly work by the end of the war.<sup>17</sup>

To these thousands of men and women, life in the massive North American and Convair plants was both exciting and daunting. Though parts of the manufacturing process shared a great deal in common with other mass-production industries such as automobile assembly, aircraft workers had to adopt new methods peculiar to the industry. To begin with, the size and complexity of finished aircraft made it impractical to operate a single, constantly moving assembly line. Instead, workers would erect scaffolding and jigs around stationary planes and then swarm over and around each other to complete their various tasks before the plane was moved to the next assembly position. The variety of jobs these workers performed was astounding—in addition to a virtual army of riveters

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<sup>17</sup> Wayne Biddle, *Barons of the Sky: From Early Flight to Strategic Warfare: The Story of the American Aerospace Industry* (New York: Simon & Schuster, 1991), 271; Roger E. Bilstein, *The American Aerospace Industry: From Workshop to Global Enterprise* (New York: Twayne, 1996), 73; John B. Rae, *Climb To Greatness: The American Aircraft Industry, 1920-1960* (Cambridge: Massachusetts Institute of Technology Press, 1968), 151; and V. Dennis Wrynn, *Forge of Freedom: American Aircraft Production in World War II* (Osceola, WI.: Motorbooks International Publishers, 1995), 12. For more detailed discussions of women aircraft workers, see Sherna Berger Gluck, *Rosie the Riveter Revisited: Women, the War, and Social Change* (Boston: Twayne, 1987); Constance Reid, *Slacks and Calluses: Our Summer in a Bomber Factory* (Washington, D.C.: Smithsonian Institution Press, 1999); and Chester W. Gregory, *Women in Defense Work During World War II: An Analysis of the Labor Problem and Women's Rights* (New York: Exposition Press, 1974), 67-79.

and buckers, aircraft plants also employed thousands of metal press operators, drillers, deburrers, subassembly installers, electricians, welders, carpenters, tool and die makers, jig builders, and inspectors, to name but a few. For periods of time ranging from forty-eight to sixty hours per week and more, the members of this industrial juggernaut worked at their tasks under a flood of artificial light and ear-piercing mechanical sounds. The physicality and repetitiveness of life in the plants no doubt led many to agree with the statement of one young man that aircraft work “[is] like a jail sentence...and after the war, we’ll be out.”<sup>18</sup>

While likening aircraft manufacturing to incarceration may have been an exaggeration—most workers were simply glad to have a job after the travails of the Depression—such statements did reflect the very real power that Convair and North American’s supervisors retained over their employees. Better known throughout the plants as “damn Red Buttons” due to the color of their identification badges, company officials jealously guarded their managerial prerogatives and adamantly opposed anything that might impede their authority. This was especially evident in the dim view that aircraft manufacturers took of unions and labor relations in general. In California where the industry was strongest, the anti-union sentiment of aircraft plant managers put them in the vanguard of the struggle to retain the state’s reputation as “the white spot of the open shop.”<sup>19</sup> As recently as the summer of 1941, this antagonism toward employees was demonstrated in dramatic fashion at North American’s main plant in Inglewood,

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<sup>18</sup> “Adroit Use of Manpower Claimed by Airplane Plant’s Officials,” *Dallas Morning News*, October 2, 1943; Jacob Vander Muelen, *Building the B-29*, (Washington, D.C.: Smithsonian Institution Press, 1995), 47, 51, 55; and Reid, *Slacks and Calluses*, 52.

<sup>19</sup> Reid, *Slacks and Calluses*, 117; and Jacob Vander Muelen, *The Politics of Aircraft: Building an American Military Industry* (Lawrence, KS: University of Kansas Press, 1991), 216.

California. Just as the first aircraft began rolling off the production line in Grand Prairie, managers at North American's West Coast facility had enlisted the support of Roosevelt and the Army in putting down a Communist-inspired strike by employees who accused the company of refusing to bargain with their representatives. Besides serving notice on unions throughout the nation that production disruptions would not be tolerated during the war, the Inglewood strike also provided a preview of the hardnosed style that North American officials would subsequently employ in their dealings with both black and white workers at the new plant in Texas.<sup>20</sup>

If Convair's recent history lacked the same dramatic confrontations with employees, the attitude of its managers was no better than that of their North American counterparts. This antagonistic stance was perhaps best personified by Convair's chairman of the board, Tom Girdler. Well before the aircraft industry began its rise to prominence in Fort Worth, Girdler had earned a reputation as a fierce opponent of labor unions who was not above inciting violence to avoid working-class organization. The most famous example of these tactics occurred in 1937 when Girdler, who was then serving as head of Republic Steel, masterminded the defeat of the CIO's Little Steel strike, the climax of which was the brutal killing of ten workers by Chicago police in the infamous Memorial Day Massacre. Not surprisingly, Girdler's distaste for organized labor and shared governance on the shopfloor did not diminish when he entered the

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<sup>20</sup> Nelson Lichtenstein, *Labor's War at Home: The CIO in World War II* (New York: Cambridge University Press, 1982), 58-62; James R. Prickett, "Communist Conspiracy or Wage Dispute?: The 1941 Strike at North American Aviation," *Pacific Historical Review*, 50 (May 1981), 215-33. On the response of management to the challenges of labor during the 1940s, see Howell John Harris, *The Right to Manage: Industrial Relations Policies of American Business in the 1940s* (Madison: University of Wisconsin Press, 1982), 41-89.

aircraft industry. In a speech before the Foremen's Club of Fort Worth, the Convair chairman reminded his managerial subordinates that they were to act as the undisputed bosses of their respective departmental fiefdoms. "You are not in your department to win any popularity contests," he charged. "Get your workers to like you if you can, but be sure to have their respect. Without respect, and without the discipline that results from respect, you can never build a well-knit, smooth working combination of workers." In their interactions with employees, the managers at Convair, several of whom had worked for Girdler at Republic, took these instructions to heart and brooked little opposition to their authority.<sup>21</sup>

The reluctance of North American and Convair to countenance any assault on the managerial prerogatives of their supervisory staff provided a good indication of the uphill battle that African Americans and the FEPC would face throughout the war. If FEPC officials entertained any hopes that it would be easier to gain the cooperation of the transplanted management of these companies, the reality they faced offered a rude awakening. Though most hailed from the ostensibly less hostile racial environment of California, early managers at Convair and North American were unwilling to challenge the prevailing social order of the segregated South. Many feared that doing so would needlessly antagonize white workers; still others presumably shared their employees'

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<sup>21</sup> "Address of Tom Girdler...Before Foremen's Club, Fort Worth, Texas, Division," October 17, 1943, Folder 24, Box 1, Collection AR 48, International Association of Machinists and Aerospace Workers District Lodge No. 776 Papers, University of Texas at Arlington Special Collections (hereinafter cited as District 776 Papers); and "Anti-Union and Labor Baiting is History of CVAC Management Personnel," *Labor News*, April 26, 1946. On the Little Steel strike, see Robert Zieger, *The CIO, 1935-1955* (Chapel Hill: University of North Carolina Press, 1995), 60-63; and Tom M. Girdler, *Bootstraps: The Autobiography of Tom M. Girdler* (New York: Scribner, 1943), 223-373.

prejudices. One excuse often used by management to justify discrimination was to claim that union contracts prevented them from dealing fairly with African Americans. While such pretexts were particularly disingenuous in light of the aircraft manufacturers' antagonism toward labor and the iron grip that they tried to maintain on the shopfloor, the limiting effect on African American job opportunities was still the same.<sup>22</sup>

It was excuses such as these that eventually led to the industry's first run-in with the FEPC. In December 1942 L. Virgil Williams of the Dallas Negro Chamber of Commerce wrote to the committee complaining about the quality of training facilities available to African Americans hoping to work in the aircraft factories. Williams's grievance was far from unique: at the beginning of 1942, there were only 194 out of 5,630 total southern training programs that would accept black workers.<sup>23</sup> Although Dallas's African American population had gained both a large training facility and a \$46,000 grant for equipment in September 1942, Williams maintained that these funds were being raided by white training officials who used them to purchase materials and machinery for their own students. Williams also criticized the director of the black training program for not passing on the names of qualified graduates to the local office of the United States Employment Service, which itself was under a great deal of scrutiny for channeling African Americans into discriminatory jobs. Earl Bowler of the U.S. Office

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<sup>22</sup> It should be noted that not all industrial employers were as antagonistic toward African Americans and the FEPC as Convair and North American initially were. For examples, see Kersten, *Race, Jobs, and the War*, 29-30, 51-52, 80.

<sup>23</sup> For information on the aptly named "jobs movement" among African Americans in the wartime South, see Reed, *Seedtime for Modern Civil Rights*, 175-204; and Chamberlain, *Victory at Home*, 40-68. An interesting case study of African American struggles to gain adequate war training is offered by Merl E. Reed, "Bell Aircraft Comes South: The Struggle by Atlanta Blacks for Jobs during World War II," in Eskew, *Labor in the Modern South*, 102-34.

of Education, which had already had its own run-in with the FEPC as administrator of these training programs, agreed with Williams that placement of black graduates had so far been difficult due to the fact that no employers in the area would hire them.

According to Williams, this situation had apparently become so bad that the supervisor of the black training school was urging graduating students to accept positions as janitors at North American. When Bowler brought this matter up with North American management, industrial relations director Nate Molinarro offered little more than a vague promise that the company would begin hiring African Americans as paid trainees once conditions in the plant warranted such action. The company also indicated that it would set aside at least two departments for black workers, but gave no indication of when this might occur.<sup>24</sup>

Not surprisingly, Molinarro's weak assurances failed to spur any significant action. Though North American management attempted to neutralize criticism by hiring an African American as assistant personnel officer, black workers continued to find it difficult to gain entry into the plant throughout the first half of 1943. Nearly six months after Williams reported the discriminatory conditions, a frustrated Bowler opined that it might be time to scrap the black training program altogether and instead focus on the actual needs of the companies in the area, a recommendation that would essentially leave job discrimination untouched. Unfortunately, even as tales of North American's

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<sup>24</sup> L. Virgil Williams to George Johnson, December 15, 1942, Folder "North American Aviation, 10-BR-173," Box 8, Closed Cases, RG 228; Earl Bowler to E. G. Ludtke, Jan. 22, 1943, *ibid*; and George M. Johnson to Walter White, January 14, 1943, Folder 1, Box A265, Records of the National Association for the Advancement of Colored People, Library of Congress, Washington, D.C. (hereinafter cited as NAACP Records). On the FEPC's larger struggles to secure equal training facilities for African Americans, see Reed, *Seedtime for Modern Civil Rights*, 175-204; and Chamberlain, *Victory at Home*, 61-68, 86-96.

discrimination began to be broadcast throughout the state by the African American press, the FEPC could do little to help. Still controlled by the largely unsympathetic War Manpower Commission and centralized in Washington, D.C., the committee simply did not have the resources to initiate a full scale investigation of the situation in Dallas.<sup>25</sup>

The turning point for the area's African American workers came on May 27, 1943, with Roosevelt's decision to issue Executive Order 9346. Drafted in response to a growing number of complaints from civil rights leaders about McNutt's apparent lack of concern for fair employment, this new order removed the FEPC from the War Manpower Commission and made it directly responsible to the president himself. The order also significantly expanded both the jurisdictional and geographic scope of the committee, allowing it to investigate all firms whose work was deemed essential to the war effort and setting up a system of regional offices throughout the country. This latter decision proved especially important for aircraft workers in Texas, who were henceforth able to file their complaints with the FEPC's new Region X office in Dallas. Led by Ellinger, Leonard Brin, and the distinguished historian Carlos Castañeda, investigators took up the cause of fair employment in Texas, focusing the bulk of their attention on the oil refining and shipbuilding industries of the Gulf Coast and the aviation industry in and around Fort Worth.<sup>26</sup>

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<sup>25</sup> Earl Bowler to E. G. Ludtke, May 28, 1943, Folder "North American Aviation, 10-BR-173," Box 8, Closed Cases, RG 228; and "Exodus of Negroes from Dallas Grows as Local War Plant Denies Them Jobs," *Dallas Express*, May 8, 1943.

<sup>26</sup> Reed, *Seedtime for Modern Civil Rights*, 112; and MacLaury, *To Advance Their Opportunities*, 99-101. For information on Castañeda, see Félix D. Almaráz, Jr., *Knight without Armor: Carlos Eduardo Castañeda, 1896-1958* (College Station: Texas A&M University Press, 1999), especially Ch. 8 on his service with the FEPC. On the FEPC's work in the Gulf Coast refining and shipbuilding industries, see Zamora, *Claiming*



The reorganization of the FEPC set off a rash of new complaints in Region X and breathed new life into the struggle for training facilities in north Texas. In late June 1943, Williams and the Negro Chamber of Commerce once again filed a formal complaint regarding North American's refusal to hire skilled blacks. Shortly thereafter, FEPC executive secretary George Johnson contacted North American president J. H. Kindelberger directly complaining about the situation in Texas. Johnson made special note of the fact that the Grand Prairie plant had recently assumed control of a training school for white teenagers while black graduates were still unable to secure employment. This decision to go above North American's local leadership had the desired effect. Following negotiations with black leaders and the War Manpower Commission, Molinarro announced in early July that North American would begin employing African American trainees directly as part of a new production-training program in such skills as drilling, painting, and sub-assembly. Once these students completed their instruction, Molinarro promised that they would be transferred into areas of the plant where they were needed.<sup>27</sup>

Despite the lengthy delays and the necessity of appealing to higher authorities within the company, the FEPC could tally its first experience at North American in the win column. During the four months after Molinarro's announcement, over 300 African Americans were trained and employed in aircraft work through the program that North

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*Rights*, 158-203; Zamora, "The Failed Promise of Wartime Opportunity," 323-50; and Obadele-Starks, *Black Unionism in the Industrial South*, 101-27.

<sup>27</sup> A. Maceo Smith to Walter White, December 11, 1942, Folder 1, Box A265, NAACP Records; Bowler to W. D. Gallier, May 28, 1943, Folder "North American Aviation, 10-BR-173," Box 8, Closed Cases, RG 228; Johnson to J. H. Kindelberger, June 15, 1943, *ibid*; "Final Disposition Report," February 5, 1944, *ibid*; "North American Aviation Starts Paying Negro Trainees," *Dallas Express*, July 10, 1943; and Reed, *Seedtime for Modern Civil Rights*, 90-112.

American established.<sup>28</sup> By comparison, the committee's earliest efforts at Convair were not nearly as successful. In June 1942 FEPC officials approached the management at the Fort Worth plant and urged division manager Roland G. Mayer to offer training for African Americans. Initially it appeared that Mayer might be willing to cooperate, promising to establish a training program for placing blacks in the center wing section of the plant. Upon further investigation, however, FEPC officials discovered that this program had never been set up and no African Americans had been moved into the jobs supposedly set aside for them. A full two years later in June 1944, Ellinger still could not report any progress on this front; in fact, he admitted that the situation had actually grown worse as Convair ceased offering training programs of any kind throughout the entire plant.<sup>29</sup>

Fortunately for African Americans, Ellinger was not easily deterred by the opposition he faced at Convair. As a former organizer with the International Ladies' Garment Workers' Union (ILGWU) in St. Louis and Dallas, Ellinger had had more than his share of confrontations with management by the time he became an FEPC investigator. Hoping to finally correct Convair's discriminatory training situation, Ellinger secured a conference with Mayer, the company's director of labor relations John Hassler, and an official from the Army Air Corps in August 1944. Ellinger immediately pointed out to this group that of the 800 black employees at Convair, only 114 held skilled or semi-skilled classifications, and not a single one of these workers had been

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<sup>28</sup> "Final Disposition Report," February 5, 1944, Folder "North American Aviation, 10-BR-173," Box 8, Closed Cases, RG 228. Perhaps because of North American's internal training program, Dallas's black defense job training center was closed due to low attendance in September 1943. See Chamberlain, *Victory at Home*, 66.

<sup>29</sup> Don Ellinger to Will Maslow, June 29, 1944, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-235," Box 2, Closed Cases, RG 228.

hired at any position above janitor or laborer. Despite this evidence, both Convair officials accused the FEPC of stirring up trouble where none existed, and Mayer stated categorically that he would not mix black and white workers. It was only after Ellinger threatened to call a public hearing that Mayer relented and requested suggestions on how Convair might comply. Though this would seem to represent a breakthrough, Ellinger continued to doubt the company's sincerity, declaring that "the attitude expressed by [Convair] made such a proposal fruitless since it was clear that they intended to do nothing about it."<sup>30</sup>

Notwithstanding his misgivings, Ellinger submitted the FEPC's proposal several days after the meeting. Hoping to capitalize on the earlier success in Grand Prairie, the report pointed out that even though the percentage of African American employees at North American was more than twice what it was at Convair, there had been no real racial trouble to speak of. "Our observation has been that friction between races in a plant does not develop unless it is deliberately stirred up," Ellinger stated. "Workers of both races have worked together for years in this region and no failure to utilize available needed skills can be justified on a fear of friction." Ellinger also reminded Mayer that the FEPC was formally neutral on the subject of physical segregation so long as any arrangements made did not restrict employment opportunities. As requested, the letter concluded with a number of specific recommendations for Mayer to consider. These included making a public announcement of Convair's commitment to fair employment, surveying the qualifications of all African Americans and determining where they could

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<sup>30</sup> Memo to File, n/d, Box 2, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-235," Closed Cases, RG 228. Biographical information on Ellinger is taken from "Heart Attack Takes Don Ellinger," *The Machinist*, February 24, 1972.

best be used, and establishing relations with a representative committee of black workers who could act as a liaison to management.<sup>31</sup>

Ellinger's entreaties to Convair reveal a great deal about how the FEPC and its staff approached their investigations in the South. To begin with, Ellinger's assertion that blacks and whites had "worked together for years" was somewhat disingenuous insofar it overlooked the fact that workplace interracialism had almost never occurred under conditions of equality within the region. While the implications of this would not have been lost on a southerner, Ellinger may have hoped that Mayer, a Seattle native, would be more amenable to such arguments.<sup>32</sup> Ellinger's suggestion that the FEPC might accept some type of segregated arrangement was also a clear indication that he understood the delicate nature of his mission. Though it would not become a major issue until May 1943 when it was used to quell a race riot in the shipyards of Mobile, Alabama, the segregation of black workers in war plants presented problems for the FEPC. Virtually all of the committee's field representatives maintained that geography had to be considered when reaching settlements, yet they also understood that doing so risked setting precedents that might carry over into other regions where such conditions were not the norm. Equally worrisome was the fact that prominent civil rights groups such as the NAACP opposed such compromises. These critics argued that any arrangement condoning segregation would not only limit the opportunities of African Americans but also ensured that they would be quickly dismissed after the war through the wholesale liquidation of all-black departments. The FEPC was never able to find a satisfactory solution to this dilemma

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<sup>31</sup> Don Ellinger to R. G. Mayer, September 11, 1944, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-235," Box 2, Closed Cases, RG 228.

<sup>32</sup> Biographical information on Mayer derived from "Newman Quits Consolidated," *Dallas Morning News*, May 12, 1944.

other than to insist that workplace segregation should never be allowed to interfere with black job prospects. With these vague instructions in hand, the committee's field representatives were left to use their judgment in determining when such arrangements were beneficial and when they constituted discrimination. In the case of Convair, Ellinger's decision to recommend segregated departments was likely informed by the fact that the Dallas Negro Chamber of Commerce, one of the area's most prominent civil rights organizations, had itself suggested a similar arrangement at North American as early as 1942. Considered alongside the company's history of stonewalling, this seems to have been the key factor in convincing Ellinger that all avenues, even segregated ones, needed to be explored if black workers were to gain any concessions in the plant.<sup>33</sup>

Unfortunately, whatever hopes Ellinger had that Convair might be willing to accede to his recommendations were dashed with the evasive response that Mayer provided over three months later. Although he admitted that retooling operations had prevented him from making any investigations, Mayer stated bluntly that he could not agree with any of the allegations outlined and believed that the racial situation at North American was not nearly as rosy as Ellinger had painted it. No training programs were needed, he argued, because the plant had increased its efficiency so much in recent months that it had terminated approximately one-third of the workforce. Mayer also contended that Convair had a definite plan for upgrading its employees as well as a "highly-praised" grievance procedure and industrial relations department where any individual could file a complaint if he were dissatisfied with his classification. In an operation as large as Convair, he continued, it was impossible to police all supervisory

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<sup>33</sup> Reed, *Seedtime for Modern Civil Rights*, 118-19; and Chamberlain, *Victory at Home*, 59.

employees to insure that they were carrying out managerial policy “without allowing personalities to creep into the various transactions,” a particularly disingenuous statement given the managerial philosophy of the company. Mayer concluded that in almost four years of operation, the Fort Worth plant had had virtually no labor difficulties and again restated his belief that the FEPC was in error. For his part, the normally resourceful Ellinger seems to have been thrown for a loop by this intransigent response. Lacking the authority to issue hard sanctions, Ellinger could do little more than report to his superiors that Mayer was lying and that the company was actually behind schedule in fulfilling its contracts due to a lack of manpower.<sup>34</sup>

Revealing as these prolonged confrontations between the FEPC and Convair were, training discrimination was but one of the many unfair practices that African Americans faced in the Fort Worth aircraft industry. Even after overcoming the daunting challenge of gaining entry into the plants, black workers continued to endure discrimination in the types of jobs they were offered, the pay they received, and the discipline that was meted out to them. One of the most complained about abuses was the unwillingness of supervisors to properly classify African Americans. In one such case, a pair of black welders complained that although they were performing the same basic duties as whites in their department, North American refused to advance them any higher than the “C” classification. The labor relations department tried to cover itself by claiming that the men were properly classified according to the printed job descriptions, but this argument was largely discredited when the same company official admitted that

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<sup>34</sup> Letter, R. G. Mayer to Don Ellinger, November 18, 1944, Folder “Consolidated-Vultee Aircraft Corp., 10-BR-235,” Box 2, Closed Cases, RG 228; Don Ellinger to Will Maslow, December 12, 1944, *ibid*; and Don Ellinger to Clarence Mitchell, December 22, 1944, *ibid*.

“some things just can’t be done” in Texas.<sup>35</sup> In a similar case involving a group of black painters, one of the complainants recalled being told by his foreman that “here in the South, a nigger cannot be called a white man regardless of how good a worker he is” when asking for an upgrade to an “A” classification. This latter case particularly worried the FEPC since a number of aggrieved African Americans had actually quit after realizing that their opportunities for advancement were limited. When Ellinger confronted North American management about the situation, director of labor relations F. J. Conlan again denied any discrimination and maintained that the company was within its managerial prerogatives to upgrade employees as it saw fit. Molinarro agreed, adding that many of the men had very poor attendance records and were therefore unfit for upgrades. Employing another frequently used tactic, Molinarro also questioned the character of one of the men by pointing out that he had allegedly abandoned his wife and children. Perhaps embarrassed by these revelations, Ellinger accepted the company’s agreement to upgrade one of the complainants and put the others on notice that they would be considered for similar promotions if their attendance improved.<sup>36</sup>

The FEPC ran into this same stubbornness when it confronted management at Convair about its refusal to offer upgrades to African Americans. In particular, a number of black janitors and laborers testified that they had been denied the opportunity to upgrade into supervisory positions in their all-black department as well as more skilled jobs elsewhere in the plant. An investigation by the Army Air Corps found that

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<sup>35</sup> Williams to Carlos Castañeda, November 26, 1943, Folder “North American Aviation, 10-BR-160,” Box 8, Closed Cases, RG 228.

<sup>36</sup> “Final Disposition Report,” September 26, 1944, Folder “North American Aviation, 10-BR-268,” Box 8, Closed Cases, RG 228; F.J. Conlan to Don Ellinger, April 17, 1944, *ibid*; Don Ellinger to F. J. Conlan, April 19, 1944, *ibid*; Nate Molinarro to Leonard Brin, May 29, 1944, *ibid*; and Don Ellinger to F.J. Conlan, June 1, 1944, *ibid*.

Convair's policy was to not upgrade blacks until there was a surplus in the pool of janitorial workers, a situation that apparently only presented itself infrequently. The result was that inexperienced whites were hired off the streets for jobs that should have been open to these black workers based on their qualifications and seniority. Confronted by the FEPC, Convair management responded with "bristling hostility," contending that the black workers involved were both satisfied with their current positions and unqualified to take on supervisory duties. Faced with such uncompromising resistance, Ellinger again seemed at a loss. His only response was to suggest that blacks at Convair write letters to the company laying out their talents and ambition and that all future decisions regarding upgrades be handled by the company's central personnel office rather than individual foremen.<sup>37</sup>

All of these problems were magnified exponentially when the applicant was an African American woman. Despite their confrontations with the FEPC over training and hiring practices, officials at both plants steadfastly refused to hire black women in any other than the most menial positions. This was the case for Elizabeth Myers, who wrote to the War Manpower Commission in June 1943 complaining that she had been unable to secure employment at North American despite having completed a war training course. "Is it true," she asked, "that colored women are allowed to sacrifice their time and energy in taking this training with no hope of gaining work in a plant? Not even a maid's job?" Each time she went to the local employment office to inquire, she was told to wait a few more days and given minor domestic jobs to tide her over. After the matter was referred to the FEPC, it was discovered that North American was refusing to hire black women as

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<sup>37</sup> Don Ellinger to Will Maslow, June 29, 1944, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-235," Box 2, Closed Cases, RG 228.



production workers on the grounds that it did not have segregated facilities for them. It took over six months for the company to finally sort this matter out and offer Myers a trainee job.<sup>38</sup> Many other potential female employees, such as Willie Mae Young and Carrie Tucker Buckner, were simply refused applications at the employment office while white women around them received jobs. Even when the FEPC investigated such complaints, the constantly fluctuating employment figures at the plants made it difficult to determine whether the aggrieved women had presented clear-cut cases of discrimination.<sup>39</sup>

While the inflexibility of management was the root cause of most discrimination at the plants, the FEPC also had to contend with the racial attitudes of white workers when attempting to settle complaints. Although officials at both North American and Convair often used threats of white backlash as a blanket excuse for refusing to make adjustments, such outbursts occurred frequently enough that Ellinger could not afford to ignore the matter. One such incident involved an African American named William Keele who worked as an alignment operator in an all-black department on the night shift. When this department was eliminated in the summer of 1943, Keele and two other employees were placed on the all-white day shift. Almost immediately, however, nearly two dozen white workers walked off the job rather than work alongside African

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<sup>38</sup> Elizabeth Myers to Dr. Robert Weaver, June 19, 1943, Folder "North American Aviation, 10-BR-75," Box 7, Closed Cases, RG 228; James Bond to Lawrence Appley, August. 20, 1943, *ibid*; and "Final Disposition Report," February 11, 1944, *ibid*. On the experience of African American women in the workplace during World War II, see Maureen Honey, ed., *Bitter Fruit: African American Women in World War II* (Columbia: University of Missouri Press, 1999), 35-125; and Karen Tucker Anderson, "Last Hired, First Fired: Black Women Workers during World War II," *Journal of American History*, 69 (June 1982), 82-97.

<sup>39</sup> "Final Disposition Report," August. 30, 1944, Folder "North American Aviation, 10-BR-449," Box 8, Closed Cases, RG 228.

Americans. In order to quell the disturbance, North American officials removed the trio from the alignment department and placed them in a lower skilled section of the plant without any reduction in pay. After his own protest to management yielded what he believed was an unsatisfactory offer of a different job, Keele filed a complaint with the FEPC alleging that his skills were being underutilized and he was being underpaid.<sup>40</sup>

Drawing upon his experiences in the multi-racial and multi-ethnic ILGWU, Ellinger realized that these issues had to be handled gingerly. Besides the threat that another walkout could occur, he did not want to unduly antagonize North American management—who, for once, appeared to be sincere in their efforts to adjust the situation—by demanding that they place Keele back in the alignment department. On the other hand, however, Ellinger worried that pressing Keele to accept the company's offer would ultimately sanction the segregation of future black complainants into separate departments where their job opportunities would be circumscribed. Not knowing how to proceed, Ellinger wrote to the FEPC's director of field operations, Will Maslow, commenting that the outcome appeared bad no matter what course of action he took. In response, Maslow reminded Ellinger that the FEPC was not against segregation *per se* as long as it did not interfere with the rights of minority workers. Unless there was to be some loss of seniority involved, Maslow recommended that Keele accept the company's transfer offer as a satisfactory adjustment of his case. Unfortunately, this advice came to naught when Keele once again refused to accept a transfer elsewhere in the plant. Given the situation, Ellinger's only hope was to prove to management that the white workers

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<sup>40</sup> "Statement of William Keele," April 12, 1944, Folder "North American Aviation, 10-BR-249," Box 8, Closed Cases, RG 228; Don Ellinger to Will Maslow, May 26, 1944, *ibid*; and "Final Disposition Report," August 9, 1944, *ibid*.

would not rebel again if an African American was placed among them. With the help of the alignment department foreman and a cooperative UAW shop steward, Ellinger devised a plan whereby Keele would be used to temporarily fill in for an absent white jig operator. Much to Ellinger's relief, the disturbances that the company had warned about never materialized and Keele was transferred back to the alignment department permanently, with a small pay raise to boot.<sup>41</sup>

If William Keele's tribulations demonstrate what could be achieved with a little assistance from management and a great deal of persistence by the FEPC, his experience also raises the important question of the role played by organized labor in the investigations at Convair and North American. Given the history of unions in Fort Worth, one would certainly be forgiven for thinking that the UAW's cooperation with Ellinger was anything more than an aberration. Up to the beginning of World War II, conservative AFL craft unionists in the building trades and railroad brotherhoods dominated the local labor movement. With their main focus on improving wages and maintaining job security for skilled white workers, such unions had little use for African Americans or more progressive forms of civil rights unionism. Throughout the war, these exclusionary forces found a mouthpiece for their racial sentiment and voluntaristic pure-and-simple unionism in Fort Worth's only labor journal, the *Union Banner*, and its octogenarian publisher C. W. Woodman.<sup>42</sup> Born during the Civil War, Woodman had

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<sup>41</sup> Don Ellinger to Will Maslow, May 26, 1944, Folder "North American Aviation, 10-BR-249," Box 8, Closed Cases, RG 228; Will Maslow to Don Ellinger, June 8, 1944, *ibid*; Memo to File, July 17, 1944, *ibid*; "For the Files, Regarding 10-BR-249 and 10-BR-268," May 25, 1944, *ibid*; and "Final Disposition Report," August 11, 1944, *ibid*.

<sup>42</sup> On the development of the pure-and-simple craft union ideology that dominated the AFL for the first half of the twentieth century, see William Forbath, *Law and the*

been one of the original organizers of the Texas State Federation of Labor in 1900 and was a fifty-year member of the AFL-affiliated printing pressman's union, thus giving him plenty of time to imbibe the insular ideology of craft unionism. Besides boasting that Fort Worth had had no labor trouble in nearly two decades, Woodman also used the *Banner* as a sounding board for his views on race. The paper frequently carried editorials blasting the efforts of "carpetbaggers" from northern cities to stir up trouble among the South's black population. Like most southerners, Woodman believed that whites and blacks in the region had "a perfect understanding" and warned that overtures toward social equality from "crazy people" up north would surely result in the rebirth of the Ku Klux Klan and other extremist groups. These pieces became increasingly strident during the war as more and more attention was focused on gaining jobs for African Americans.<sup>43</sup>

As important as Woodman's paper was for expressing craft union racism, the real bastion of anti-black sentiment in the Fort Worth labor movement was the Trades Assembly. Although this body nominally cooperated with the small number of African American union members in the area, its white leaders and delegates made very clear who the junior partners in this relationship were. More than six months before the

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*Shaping of the American Labor Movement* (Cambridge, MA: Harvard University Press, 1991); Julie Greene, *Pure and Simple Politics: The American Federation of Labor and Political Activism, 1881-1917* (Cambridge: Cambridge University Press, 1998); Joseph McCartin, *Labor's Great War: The Struggle for Industrial Democracy and the Origins of Modern American Labor Relations, 1912-1921* (Chapel Hill: University of North Carolina Press, 1997); and Howard Kimeldorf, *Battling for American Labor: Wobblies, Craft Workers, and the Making of the Union Movement* (Berkeley: University of California Press, 1999).

<sup>43</sup> "Convention Program," *Union Banner*, June 19, 1942; "Breeding Race Trouble," October 8, 1943, *ibid.*; "The Negro We Know," *Union Banner*, November 13, 1942; "Be Careful of Colored Problems," *Union Banner*, August 11, 1944; and "What is Social Equality?," *ibid.* Biographical information on Woodman is taken from "Union Banner Completes 58th Year," *Union Banner*, April 23, 1948.

aircraft plants even opened, for example, an IAM member representing a small local foundry informed the body that black workers were seeking the same recognition as whites from Convair management. Appalled, the assembly went on record in agreement with this delegate's conclusion "that the negroes would not be on equality with the white at any time here in Texas."<sup>44</sup> The elder statesmen of the Trades Assembly also did not look kindly upon outside interference in their affairs, even when it came from within the labor movement. In February 1941 the assembly passed a motion instructing the AFL not to charter any federal labor unions until local members had a chance to examine the application. For decades, the AFL had set up federal labor unions as a means of directly organizing less skilled workers who would otherwise have been overlooked by the labor movement. In practice, however, federal labor unions usually served as Jim Crow auxiliaries and offered the larger craft unions an opportunity to control African American workers without having to fully represent or accept them as members. Although it is not entirely clear why the Trades Assembly took this action, it may have represented an attempt to prevent any top-down directive by the AFL—which during the war grudgingly conceded the need for at least marginal equality—from infringing upon the rights of white members; the fact that less than a month later the assembly carried another motion protesting the creation of a union for skilled black workers would seem to confirm this conclusion.<sup>45</sup>

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<sup>44</sup> Minutes, October 9, 1941, Folder 8, Box 6, Collection AR 2, Fort Worth Trades Assembly Papers, University of Texas at Arlington Special Collections (hereinafter cited as FWTAP Papers).

<sup>45</sup> Minutes, February 27, 1941, Folder 8, Box 6, FWTAP Papers; and Minutes, March 26, 1942, Folder 9, Box 6, *ibid.* Unfortunately, the record of this latter meeting gives no indication as to what industry the "Skilled Workers (colored)" were attempting to organize. On the early history of federal labor unions, see Robert Zieger and Gilbert

The arrival of the aircraft industry in north Texas created a dilemma for Fort Worth's stagnant labor movement. Centered in small shops where labor relations remained something of a personal affair, the area's craft unions were ill-suited to the task of organizing the thousands of often unskilled workers newly employed in the massive facilities of North American and Convair. However, just as they gave rise to a new local economy, the construction of the aircraft plants also marked the beginning of an important shift for the Fort Worth labor movement. The task of organizing this new group of workers fell to international representatives of the UAW and IAM, which had emerged as the main rivals for collective bargaining rights in the aircraft industry.<sup>46</sup> Born during the tumultuous CIO struggles of the 1930s, the UAW had gained a reputation as a progressive and militant industrial union that sought to organize all workers regardless of skill, race, or gender. Given the dynamism of this young organization, its interest in the newly emerging enterprise of aircraft manufacture came almost naturally. As auto companies began slowly retooling UAW-organized factories for war production, union leaders recognized an opportunity to extend their organization's influence into aircraft plants across the country. This strategy took on added imperative after Roosevelt adopted UAW vice president Walter Reuther's slogan of "500 Planes a Day," essentially

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Gall, *American Workers, American Unions: The Twentieth Century*, 3rd ed. (Baltimore: Johns Hopkins University Press, 2002), 71-72, 78-79; and Foner, *Organized Labor and the Black Worker*, 92-93. On the AFL's wartime record with regard to civil rights, see Kerstern, *Labor's Home Front*, 68-99.

<sup>46</sup> For information on the fierce wartime competition between the AFL and the CIO, see Kersten, *Labor's Home Front*, 139-65; and Zieger, *The CIO*, 111-90.

serving notice that the mass production techniques pioneered in automobile manufacturing would have to replace older batch methods of aircraft production.<sup>47</sup>

By comparison, the IAM seemed to be a much more unlikely candidate for organizing aircraft workers. For decades after its founding in Atlanta in 1888, the IAM epitomized the old-line exclusionary craft unions of the AFL with its traditional base among highly skilled machinists in railroad repair shops. These labor aristocrats maintained strict control over the union and used it to protect their interests through conservative sweetheart contracts with employers. Having come out of the insular railroad shops themselves, the IAM's steadfast executive officers were initially opposed to organizing aircraft workers for fear that such efforts would weaken the tradition of craft unionism and dilute the bargaining power of more skilled workers. This attitude began to change in 1936, however, when William Boeing, who was then seeking ways to limit competition in the cutthroat industry, offered the IAM a closed-shop contract covering all of his plants in Seattle, Washington. In exchange, Boeing demanded an ironclad no-strike pledge and assurances that the union would organize other aircraft companies as well. Not wanting to fall behind its increasingly aggressive UAW rival, the IAM gladly accepted Boeing's offer and launched its own organizing campaign among the nation's growing body of aircraft workers. Much to the chagrin of the union's old-timers, however, this new organizing effort slowly began to diminish the once clear lines that had existed between skilled and unskilled labor. As wartime mass production techniques revolutionized the industry, the IAM simply could not afford to ignore the

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<sup>47</sup> Vander Muelen, *Politics of Aircraft*, 209; and Nelson Lichtenstein, *The Most Dangerous Man in Detroit: Walter Reuther and the Fate of American Labor* (New York: Basic Books, 1995), 160-63 (quotation on 162).

growing army of riveters and other semi-skilled operatives who comprised the bulk of the aircraft-manufacturing workforce. Though old railroad men would continue to dominate the IAM's politics for some time to come, their conservative ideological influence rapidly began to wane.<sup>48</sup>

Despite the emerging parallels in their trade union philosophies, convergence on the treatment of African American workers came about much more slowly for the Autoworkers and Machinists. Even within the progressive CIO, the UAW was famous (or infamous, depending on one's location) for its leaders' public commitments to racial equality. In its hometown of Detroit, the union maintained close ties with the NAACP and used this alliance to great effect in organizing African American workers. This is not to say, of course, that all UAW locals and their members agreed with the international's racial program. Though the union's international officers tried to impress upon their members the necessity of interracialism, the largely autonomous local leadership frequently rebelled against such strictures. At the North American plant in Grand Prairie, for example, one of the executive board members of UAW Local 645 forthrightly stated in the early months of the FEPC's investigations that "here in Texas there shall be no social equality," and outsiders were not going to tell whites that they had to accept African Americans as equals.<sup>49</sup> Yet as revealing as such bigoted sentiments were, local

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<sup>48</sup> Vander Muelen, *Politics of Aircraft*, 211-17; Mark Perlman, *Democracy in the International Association of Machinists* (New York: Wiley, 1962), 11-24; and Mark Perlman, *The Machinists: A New Study in American Trade Unionism* (Cambridge, MA: Harvard University Press, 1961), 105-12.

<sup>49</sup> Zieger, *The CIO*, 85, 153-54, 156; Lichtenstein, *Most Dangerous Man in Detroit*, 207-11; and Chamberlain, *Victory at Home*, 139. On the UAW's often ambiguous relationship with African Americans, see David M. Lewis-Colman, *Race against Liberalism: Black Workers and the UAW in Detroit* (Urbana: University of Illinois Press, 2008); August Meier and Elliott Rudwick, *Black Detroit and the Rise of the*



UAW officers were nevertheless hard-pressed to completely ignore African Americans. In many instances, in fact, white leaders actually depended upon black workers to carry out much of the work involved in forming the union in the first place. Such was the case at North American where Local 645 was organized on an integrated basis with a great deal of help from those at whom the vitriol of the statement above was directed. According to W. M. “Jack” Anderson, the local’s first president, because their duties required them to wander throughout the plant, black janitors were an indispensable part of the UAW’s organizing drive at North American. “These nigras [sic] was organizing everybody,” Anderson recalled. “They not only organized the Black, they would talk to the people in these different departments.” This effort accelerated even more rapidly after Anderson enlisted the support of the Dallas Negro Chamber of Commerce. Besides pleading with North American’s black workers to extend the organizing drive, Anderson recalled that the leaders of the Chamber also attempted to raise the moral indignation of all workers in the plant by advertising the deplorable conditions that many African Americans endured:

[The company] took a big wire...mesh wire, oh it was twenty feet high. And people couldn’t get in there to see these people, to talk to them. So there these Black people was in this screened-in department, like a bunch of animals...They kept them in there like a bunch of slaves. Just pitiful. Something very bad. So that was another selling point to get the people to sign the union card, to see how a human being was being treated.

In short, had it not been for the African American workers, Anderson concluded that the local never would have gained enough signatures to call for an authorization election.

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*UAW* (New York: Oxford University Press, 1979); and Kevin Boyle, “‘There Are No Union Sorrows That the Union Can’t Heal’: The Struggle for Racial Equality in the United Automobile Workers, 1940-1960,” *Labor History*, 36 (Winter 1995), 5-23.

Such interracial campaigns, even if they were undertaken for strictly strategic reasons, put the UAW light years ahead of most other unions in the South at the time.<sup>50</sup>

By contrast, the IAM has been frequently held up as a sterling example of the racist exclusionism prevalent among craft unionists. Foremost among the union's sins was the fact that it excluded African Americans as members. The mechanism for this discrimination was the IAM's not-so-secret induction ritual that pledged all new members never to recommend for membership anyone not of the white race. For years, this discriminatory language had the effect of disqualifying many African Americans from even the most menial jobs in places where the IAM held closed-shop agreements. Such problems became especially acute during World War II with the rapid expansion of shipbuilding, aircraft manufacturing, and other industries in which the IAM was prominent. Boeing's closed-shop facility in Seattle provided perhaps the best example of this discrimination: out of a workforce of 41,000, there was not a single black employee in 1941. When confronted about such shameful episodes, the IAM's national leadership announced that while it was not opposed to the employment of African Americans neither the FEPC nor any other government agency had the authority to compel it to accept black members. Similar records of discrimination could be found at a number of other IAM-organized aircraft plants in Missouri, Tennessee, California, and, of course, Texas.<sup>51</sup>

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<sup>50</sup> "Transcript of Tape on 'History of Local 645' Made by Jack Anderson in 1994," n/d, Box 1, Unprocessed mss., Accession 95-66, UAW Local 893 Records, University of Texas at Arlington Special Collections.

<sup>51</sup> Perlman, *Democracy in the IAM*, 39; Perlman, *The Machinists*, 108, 279; Hill, *Black Labor and the American Legal System*, 209-16; and Reed, *Seedtime for Modern Civil Rights*, 35-36. At Boeing and a number of other companies with closed-shop IAM agreements, discrimination against African Americans was sometimes partly corrected by

Fortunately for African Americans, change was coming to the IAM. Not even the blatantly discriminatory language of the union's ritual could escape the civil rights tide slowly spreading across the country during the war. Fueled by patriotism and a pragmatic desire to organize the growing number of unskilled aircraft workers, many of whom were African Americans, sentiment began to rise in the IAM's ranks for amending the discriminatory membership requirements. At the union's 1940 convention, delegates from New York, Pennsylvania, and California all advocated for the elimination of the ritual and the admission of African Americans; the matter was tabled, however, after the union's secretary-treasurer, a southerner, declared that the local lodges would likely do as they wanted regardless of any official action. Perhaps drawing upon the secretary-treasurer's words, a growing number of local lodges did indeed take it upon themselves to tackle the issue. At the same time that the FEPC was investigating the massive Boeing lodge, for example, another local lodge in Seattle tried to circumvent the union's membership prohibition by interpreting the whites-only clause as applying to an individual's character rather than his skin color. Sadly, these local officials were advised by the national leadership that their interpretation was in error and the lodge quickly ceased its efforts to recruit black members. A group of black workers who had been granted membership by an IAM lodge in St. Louis were afforded similar treatment once international officers discovered the local's transgression. These isolated rebellions soon gave way to an even more widespread campaign against the union's membership policy in 1944 when the officers of District Lodge 727, which represented 35,000 workers at Lockheed Aircraft in Burbank, California, sent an open letter to lodges throughout the

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allowing the local lodge to issue work permits to African Americans if they would pay the equivalent of initiation fees and monthly dues.

country. “Our membership believes,” this communication read, “that the [all-white] clause in our ritual is unworthy of our great democratic association and opposed to the principles of democracy in the Constitution of the United States.” Though District 727 was chastised for embarrassing the union with such public entreaties, its campaign garnered a great deal of support for opening the IAM’s ranks to African Americans: by the time of the 1945 convention, in fact, a floor vote on whether to eliminate the ritual was defeated by the slim margin of 2,173 to 1,958. Not even Harvey Brown, who as president of the IAM was one of the staunchest defenders of its discriminatory policies, could deny the importance of these numbers.<sup>52</sup>

While there is no record of whether or not District 776 voted for the elimination of the ritual during the 1945 convention, the Fort Worth union seems to have been among the growing number of IAM lodges that favored amending the union’s discriminatory membership policies. Shortly after the leaders of Lodge 727 began circulating their anti-discrimination letter, District 776 president J. D. Smith informed Ellinger that many of the union’s local leaders at Convair hoped the IAM executive council would follow the example of the International Brotherhood of Boilermakers and establish auxiliary locals for African Americans. Despite coming under scrutiny when the FEPC discovered that the Boilermakers were frequently negligent in their representation, auxiliary locals fostered direct contact between local union leaders and African American members. By contrast, the federal labor unions mentioned above usually depended upon absentee AFL

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<sup>52</sup> Dale Reed and W. M. Holladay to IAM recording secretaries, n/d, Folder 8, Box 4, District 776 Papers; Hill, *Black Labor and the American Legal System*, 214-15; and Perlman, *The Machinists*, 278-79. The fact that a national campaign to repeal the IAM’s ritual came out of Lockheed is not surprising given that the company had been the first aircraft manufacturer to actively seek out black employees in 1941. See Reed, *Seedtime for Modern Civil Rights*, 39.

staff members to act as intermediaries, a situation that often resulted in underrepresentation of black workers and their interests.<sup>53</sup> Of course, like their UAW counterparts at North American, there were still definite limits to the racial moderation that District 776 leaders were capable of showing. While he favored the creation of segregated auxiliaries within the IAM, Smith made it clear that he would not take any action unless the Grand Lodge approved such arrangements throughout the nation. Even in the absence of official sanction, however, Smith did not ignore the organizational aspirations of Convair's black employees, who in 1943 chartered their own federal labor union with assistance from the local IAM aircraft organizing committee. Known as the Glover Colored Aircraft Workers Union, this AFL-affiliate had the same drawbacks for African Americans as other federal labor unions, namely its failure to provide them with a direct voice in the affairs of their bargaining agent, District 776. Nevertheless, the fact that Smith and his fellow IAM officers even considered such action was an important departure from the racism that had henceforth dominated the Fort Worth labor movement.<sup>54</sup>

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<sup>53</sup> Don Ellinger to Clarence Mitchell, July 21, 1944, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-336," Box 2, Closed Cases, RG 228; and Harvey Brown to Dale Reed, February 16, 1944, Reel 271, President's Office Records, International Association of Machinists and Aerospace Workers Records, State Historical Society of Wisconsin, Madison, (hereinafter cited as IAM Microfilm). On the use of Jim Crow auxiliaries by the boilermaker's union and its conflicts with the FEPC, see Reed, *Seedtime for Modern Civil Rights*, 267-317; Kersten, *Labor's Home Front*, 68-99; and Hill, *Black Labor and the American Legal System*, 185-208.

<sup>54</sup> Don Ellinger to Clarence Mitchell, July 21, 1944, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-336," Box 2, Closed Cases, RG 228; "Subject: Federal Labor Union No. 23394," December 11, 1953, Reel 108, President's Office Records, IAM Microfilm; "Glover Colored Workers Union Charter," Apr. 21, 1943, Folder 18, Box 6, District 776 Papers; and Chamberlain, *Victory at Home*, 130.

International union policies aside, the true litmus test of the labor movement's wartime commitment to African Americans was to be found in how well union leaders performed their duty of representing workers at the local level. Returning to the case of William Keele, it is tempting to dismiss the cooperation he received from his Local 645 steward as little more than a peculiarity. When this conclusion is considered alongside the full history of wartime representation by both Local 645 and District 776, however, the evidence strongly suggests that Keele's positive experience was in fact part of a broader pattern of accommodating relations between the FEPC and the local leadership of the aircraft unions. Throughout the war, Ellinger's correspondence with Washington was full of statements praising both UAW and IAM officials for their cooperation in adjusting African American complaints. This is not to suggest, of course, that either union was an oasis of racially progressive thought: even as he praised their leaders, Ellinger voiced concerns about the willingness of these same men to condone segregation in their unions. These unfortunate personal attitudes aside, union support was nevertheless instrumental to the FEPC's accomplishments in the Fort Worth aircraft plants. In the end, the single most important factor in explaining why both the UAW and IAM cooperated with Ellinger was the hostility they faced from management at North American and Convair. As the war dragged on, the leaders of Local 645 and District 776 recognized that the struggles of African Americans against arbitrary discrimination complemented their own battle for fair contracts and dignified treatment on the job.

The clearest evidence of the IAM and UAW's local approach to African Americans can be seen in the way they handled these workers' grievances. Lacking the power to sanction strikes or other protest actions that might disrupt production, the

formalized grievance procedure was perhaps the most powerful tool that wartime unions had for convincing workers of their usefulness. Speaking to local union leaders in 1943, IAM Grand Lodge Representative L. M. Fagan warned, “The most important thing is not a wage increase, but job protection and seniority rights. Your job is to sell Texas on your union, and your work will really begin when you win the election, for you must police your agreement with management.” Though they might find it personally disagreeable to assist African Americans, local leaders took Fagan’s words to heart and recognized that racial grievances were grievances all the same and must be vigorously adjudicated if the aircraft unions hoped to maintain their legitimacy in a wartime environment where more militant actions were impossible.<sup>55</sup>

One especially important grievance case involved R. C. Carroll, a black janitor at Convair, and president of the Glover Colored Aircraft Workers Union. Since being hired in 1942, Carroll had gained recognition as a hard worker and was often consulted for advice by foremen in the office where he worked. In June 1944 Carroll wrote labor relations director John Hassler requesting consideration for an upgrade to the position of leadman or a transfer to another department. Carroll’s entreaties apparently did not please his white foreman, however, for he soon began to receive disciplinary notices on trumped up charges of insubordination and absenteeism. This continued for several days

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<sup>55</sup> “CIO Flayed by Dallas Union Man,” *Dallas Morning News*, February 16, 1943. For a case study outlining the importance of the grievance procedure in the institutional culture of industrial unions, see Korstad, *Civil Rights Unionism*, 211-23. On the centrality of the grievance procedure in the early history of Fort Worth’s aircraft unions, see Kirk White, “The Development of IAM District Lodge 776 in Fort Worth, Texas, 1942-1946: A Case Study in the Growth of Organized Labor during World War II,” (M.A. thesis, University of North Texas, 1999), 66-70, 77-82.

until finally Carroll was discharged.<sup>56</sup> When Ellinger contacted Convair, he was told that Carroll had been let go due to a failure to maintain work standards and his alleged penchant for loafing. Ellinger remained suspicious, though, and continued to press the company for the real reason. His doubts were confirmed when a representative of Convair somewhat foolishly stated that Carroll was simply attempting to get a job in the maintenance department where he would have the opportunity to work with whites. “All these niggers want,” the official argued, “is a chance to work with white people.”<sup>57</sup>

Faced with this rather forthright admission, Ellinger contacted District 776 president J. D. Smith to ask for his help in gaining Carroll’s reinstatement. As fate would have it, Carroll’s case came at an especially opportune time for the union. Since being recognized as the plant’s sole collective bargaining agent in March 1943, District 776 had been engaged in a bitter battle with Convair’s recalcitrant labor relations department to secure a contract. By the summer of 1944, members of the union had become so frustrated with the progress of negotiations that they actually filed a petition for a strike vote under the War Labor Disputes Act.<sup>58</sup> This action placed District 776’s leaders in an

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<sup>56</sup> R.C. Carroll to John Hassler, June 6, 1944, Folder “Consolidated-Vultee Aircraft Corp., 10-BR-336,” Box 2, Closed Cases, RG 228; R. C. Carroll to Don Ellinger, June 15, 1944, *ibid*; and Statement of J. L. Roberts, H. Avells, and A. Dudley, June 27, 1944, *ibid*.

<sup>57</sup> Don Ellinger to Will Maslow, June 29, 1944, Folder “Consolidated-Vultee Aircraft Corp., 10-BR-235,” Box 2, Closed Cases, RG 228.

<sup>58</sup> Under the War Labor Disputes Act, better known as the Smith-Connally Act, unions operating in essential war industries were required to give the government thirty days notice of their intent to strike. It was hoped that this cooling off period would allow enough time for disagreements to be more amicably resolved—in reality, tensions were often increased significantly during the intervening period. If a strike was called without this official authorization, not only could the affected plant be seized by the government, but the union could also be held liable for any damages caused by its members. However, because even the threat of a strike was often enough reason for the government to seize a plant, union leaders began to use this as a way of leveraging concessions from



awkward position. On the one hand, the legitimacy of the local lodge depended upon its officers doing whatever it took to secure a contract, so for them to oppose the strike petition would risk rank-and-file abandonment of the union. On the other hand, these same leaders were also bound to honor the no-strike pledge signed by the AFL and CIO in the opening days of the war. Fortunately for these local leaders, the national officers of the IAM took charge of the situation through a direct appeal to the membership in Fort Worth. After reminding the thousands of would-be strikers that their cooperation was more necessary than ever given the recent invasion of Normandy, Grand Lodge officials rescinded the petition.<sup>59</sup>

While the Grand Lodge's action ended the immediate threat of a strike, there still remained the issue of securing a contract and dealing with what was now an even more frustrated District 776 membership. It was within this tense atmosphere that Carroll's termination took place. Despite having no apparent background in labor organizing or union leadership, Smith shrewdly recognized that Carroll's case could be used to keep the members' blood boiling by serving as an example of the blatant discrimination that was possible when management went unchecked. Although the district president confided privately to Ellinger that Carroll had been out of line in requesting a job where he would have to work with whites, he nevertheless filed a grievance on the termination and took the case up with the plant grievance committee. At first, Convair refused to budge, but Smith turned the tables by threatening to initiate arbitration proceedings against the

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management. See James Atleson, *Labor and the Wartime State: Labor Relations and Law during World War II* (Urbana: University of Illinois Press, 1998), 195-97.

<sup>59</sup> H. W. Brown to J. D. Smith, June 8, 1944, Reel 345, President's Office Records, IAM Microfilm. On the events leading up to District 776's strike petition, see White, "Development of District Lodge 776," 57-88.

company. This warning took on even more significance when the union's paper, the *Cow-Town Plane Facts*, offered its public support for Carroll's reinstatement. Faced with the prospect of an expensive arbitration and an even more agitated workforce, Convair reinstated Carroll with full seniority rights and transferred him to the day shift. Though he admitted that the FEPC's influence with Convair may have helped, Ellinger concluded that "[the] adjustment affected was handled by the machinists and they deserve full credit for it."<sup>60</sup>

Carroll's case was not the only African American grievance that the all-white IAM became involved in. When janitor Ennis Dunkin was fired for substandard production in January 1945, he brought his complaint directly to Smith, who agreed to initiate a grievance even though the 48-hour time limit for doing so had passed. Like Carroll, Dunkin had apparently been quite active in the union's organizing efforts and served as a trustee for the Glover auxiliary. Through Smith's assistance, he was eventually offered reinstatement in April but refused on the grounds that he had secured a position as foreman with another company. Lest this decision be misunderstood as a condemnation of District 776, Dunkin declared that the union had done well by him and

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<sup>60</sup> Don Ellinger to J. D. Smith, June 16, 1944, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-336," Box 2, Closed Cases, RG 228; Don Ellinger to Will Maslow, June 29, 1944, *ibid*; Don Ellinger to Will Maslow, July 21, 1944, *ibid*; "Convair Union Withdraws Strike Vote," June 16, 1944, Reel 345, President's Office Records, IAM Microfilm; and "Robert Carroll Termination Case Headed for Arbitration," *Cow-Town Plane Facts*, July 14, 1944. This episode is also briefly mentioned in an essay by Merl Reed, but his conclusion that Carroll's reinstatement was brought about by a group known as the Fort Worth Negro Welfare Council is contradicted by Ellinger's account. See Reed, "The Struggle by Atlanta Blacks for Jobs," 127.

that Smith had personally called about returning to work at Convair.<sup>61</sup> Even more impressive was the IAM's willingness to fight on behalf of African American women for higher wages. Following a lengthy struggle by the international office of the IAM, in July 1944 the War Labor Board ordered management at Convair to completely redo the company's wage rates. Under the so-called Southern California Airframe Industry (SCAI) plan, all workers in Convair's Fort Worth facility were to be reclassified and paid retroactively according to job descriptions established by a National Airframe Panel based on its observations of defense plant operations on the West Coast. As it had done in virtually all matters involving labor relations, however, Convair attempted to skirt the order wherever possible by working employees outside designated classifications for wages below those specified. Although there is no evidence that the company specifically targeted African Americans, such tactics did fall hard on these workers since they were already concentrated in the lowest paying jobs.<sup>62</sup>

In July 1945, IAM Grand Lodge Representative C. Z. Lindsey informed Smith that Convair had refused to upgrade its African American maids to the classification of janitor, even though they were already performing the duties of a janitor under the SCAI plan. Even worse, the company was paying these women up to 20-cents per hour less than the designated rate for janitors and had refused to give them the retroactive lump sum that other workers had received. When Lindsey asked Hassler why these women were not given the full pay due to them, the Convair official glibly responded that he was

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<sup>61</sup> "Statement of Ennis Dunkin," January 13, 1945, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-462," Box 2, Closed Cases, RG 228; and Ennis Dunkin to Don Ellinger, April 19, 1945, *ibid*.

<sup>62</sup> C. Z. Lindsey to Benjamin Aaron, July 1, 1945, Reel 345, President's Office Records, IAM Microfilm,; and "Fort Worth Air Plant Wage Plan Decreed," *Dallas Morning News*, August 24, 1944.

concerned about the consequences of an “economic disparagement within the Fort Worth colored colony” if highly paid maids were introduced there. In a statement rendered all the more impressive by its writer’s apparent lack of racial prejudice, Lindsey advised Smith that District 776 “should lend every effort to secure justice for those whose rights have been so deliberately [sic] ignored by insisting they be classed as janitors.”<sup>63</sup>

Smith took Lindsey’s instructions to heart and approached Convair several times with requests that these African American women be properly classified. Each time he was met with a request that the union instead negotiate a stipulated agreement outside the regular SCAI plan allowing for maids to be paid less than janitors. In bringing the matter up with the National Airframe Panel, Lindsey said there was no way the union could agree to such a stipulation since “it would amount to a separate low rate of pay for females performing essentially the same duties as males at a higher rate.” Faced with these untenable demands, Smith petitioned the NLRB for authorization to conduct a strike vote in July 1945, an incredibly shrewd tactic that took advantage of the War Labor Disputes Act’s provision requiring unions to obtain the approval of their members before taking any kind of strike action. Although the disparity in maids’ wages was not the sole issue about which Smith complained, it is quite telling that he included it among the five most important areas of disagreement between the union and Convair.<sup>64</sup> Had Smith or any other union leader in Fort Worth threatened a strike on behalf of African American

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<sup>63</sup> C. Z. Lindsey to J. D. Smith, May 23, 1945, Reel 345, President’s Office Records, IAM Microfilm; C. Z. Lindsey to Benjamin Aaron, July 1, 1945, *ibid*.

<sup>64</sup> The other areas of disagreement that Smith cited to the NLRB were the company’s refusal to follow seniority in layoffs, the application of the six-month merit review, the replacement of production workers with downgraded supervisors, and the proper handling of grievances concerning hours and rates of pay. J. D. Smith to Paul Herzog, July 10, 1945, Reel 345, President’s Office Records, IAM Microfilm.

maids before the war, they likely would have been labeled as radicals and unceremoniously escorted to the county line by a posse of angry members. By the end of the war, however, such demands apparently no longer raised eyebrows among the thousands of IAM members who had struggled for a contract over the past three years. For these workers, the plight of a few black maids was simply another example of Convair's constant attempts to deal unfairly and unilaterally with its workforce. Incidentally, Smith's strike threat worked: in August 1945, the union withdrew its petition after Convair agreed to negotiate a permanent contract and clarify older areas of dispute.<sup>65</sup>

Although UAW Local 645 never had to resort to filing charges or petitioning the government for a strike vote in its battles with North American, it too became involved in a number of grievance cases on behalf of African American members, demonstrating in the process its commitment to the principles of strong, contract-focused unionism. One particularly incendiary incident took place in late 1943 and involved a black laborer named Willie Shields. At the end of his shift in North American's metal segregating department one evening, Shields was threatened by a group of white men when he tried to squeeze past them on his way to the time clocks. Having reported the encounter to his

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<sup>65</sup> C. Z. Lindsey to Benjamin Aaron, July 1, 1945, Reel 345, President's Office Records, IAM Microfilm; and "IAM Lodge Withdrew Strike Petition After Reaching Agreement with Convair," *Cow-Town Plane Facts*, August 10, 1945. Although he does not mention African American women specifically, Andrew Kersten maintains that the IAM was one of the labor movement's most adamant supporters of equal pay for equal work during the war and consistently refused the attempts of management to create separate job classifications for men and women. See Kersten, *Labor's Home Front*, 124. For an account of black women's relationship with organized labor during the war and how it compared to the experience of white women, see Phillip S. Foner, *Women and the American Labor Movement: From World War I to the Present* (New York: Free Press, 1980), 360-93.

supervisor, Shields believed it would be taken care of and thus attempted to take the same route the following night. This time, however, the white men were waiting and when one of them struck him on the leg with a pipe, Shields picked up a brick and threatened to defend himself. Luckily the melee ended without any further violence, but Shields's troubles were just beginning. Reporting the confrontation to his supervisor once again, Shields asked worriedly whether he and other African American employees would be forced to carry guns to the plant in order to protect themselves from such thugs. Almost immediately after making this statement, the beleaguered black laborer was detained by plant security and terminated on charges that he had threatened a supervisor. When Shields protested his firing to North American's labor relations office, he was told to consider the dismissal a favor since he probably would be killed if management sided with him against a group of whites.<sup>66</sup>

Clearly, Shields's case was tailor-made for intervention, and both the UAW and FEPC soon became involved. Grievance committee chairman Homer Davidson was the first to come to Shields' aid from the union, filing a complaint that quickly worked its way up through the established grievance procedure. In keeping with its past dealings with employees, management refused to budge on its decision and the grievance was dropped from the committee's agenda. Suspicious that Davidson may not have pressed the case hard enough, FEPC examiner Leonard Brin began looking into the operations of Local 645 as part of his investigation. Meeting with the local's executive council, Brin reported that half of the leadership was sympathetic to the problems of blacks, while the

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<sup>66</sup> Leonard Brin to Will Maslow, March 3, 1944, Folder "North American Aviation, 10-BR-156," Box 8, Closed Cases, RG 228; and "Statement of Willie Shields," February 1, 1944, *ibid.*

other half was “either antagonistic or unable to see the core of the problems involved.” Davidson himself admitted dropping Shields’ grievance but said he had been forced to do so because he could not secure any African American witnesses to testify. The other officers present defended Davidson’s actions and maintained that they handled cases on behalf of African Americans the same as other members. This apparently did not impress Brin, especially after he discovered that that black members of the local were meeting separately from whites at the Negro YMCA in Dallas. When Davidson and the council urged him to convince these workers to return to the union hall, Brin refused, saying that it was not up to him to do the union’s organizing for it. Although he officially concluded that the meeting had impressed the local leadership with the importance of the FEPC’s program, Brin—who did not have a background in the labor movement and was thus much less concerned than Ellinger about embarrassing recalcitrant unions—stated confidentially that it might be necessary to call in the UAW’s international officers to supervise the local.<sup>67</sup>

Hoping to avoid this drastic course of action and solidify relations between the FEPC and Local 645 at the same time, Brin called on Ellinger to meet with the union’s officers one more time. Following a conference with these leaders, Ellinger reported back that they had agreed Shields’s firing was racially discriminatory and would take any action necessary in selling this conclusion to the members and the public. The real trouble, they insisted, was getting North American to go along. The officers argued and

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<sup>67</sup> “For the File: North American Aviation, Inc., of Texas,” March 7, 1944, Folder “North American Aviation, 10-BR-156,” Box 8, Closed Cases, RG 228; and “Memo to Maslow,” n/d, *ibid.* Biographical information on Brin can be found in Denton L. Watson, ed., *The Papers of Clarence Mitchell, Jr., Volume 2: 1944-1946* (Athens: Ohio University Press, 2005), 767.

Ellinger agreed that the crux of the problem for Shields and all other workers in the plant was the grievance procedure, which was extremely weak and completely under the thumb of management. Without the most airtight evidence, a grievance had almost no chance of coming through arbitration successfully, a fact that explained the initial dismissal of Shields's case. In fact, Ellinger maintained, Shields was not the only member to suffer from the weakness of the contract: out of nearly two dozen cases recently filed, the union had won only two.<sup>68</sup>

Notwithstanding his earlier lukewarm assessment, these updates convinced Brin that Local 645 was indeed fulfilling its obligations to African American members. In his opinion, the real issue now was to show that this case (which had become somewhat irrelevant after it was learned that Shields had been drafted) was part of a larger pattern of discrimination that could only be adjusted by holding hearings on the situation at North American. Given his change of heart, Brin was therefore dismayed to learn that his superiors in Washington had taken it upon themselves to contact UAW president R. J. Thomas and criticize the local for supposedly refusing to reinstate Shields. Thomas responded by sending an international representative to Grand Prairie, a fact which did little to put Brin in Local 645's good graces. In letters to Thomas and FEPC chairman George Johnson, Brin assured both men that the union's officers had been consistently helpful. Furthermore, based on his own frustrating communications with North American, he doubted that any offer of reinstatement had ever been made to Shields. Even more important, Brin concluded that the consequences of a solitary adjustment in Shields's case, which was now a moot point anyways, would only "serve to bury for all

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<sup>68</sup> Don Ellinger to Leonard Brin, March 23, 1944, Folder "North American Aviation, 10-BR-156," Box 8, Closed Cases, RG 228.



time the vicious situation in this plant where supervisory employees kick minority groups around, apparently with the consent of higher authority.” What was needed was a hearing to publicly expose North American’s discrimination and compel its compliance. Despite this impassioned plea for broader action by the FEPC, Brin’s superiors in Washington were confident that the episode had taught North American a much-needed lesson and refused to call the requested hearing.<sup>69</sup>

Like its IAM counterpart at Convair, UAW Local 645 was also keenly concerned about North American management’s arbitrary use of classifications and wage scales. Regardless of its members’ personal feelings about African Americans, the union had to confront any and all violations of the contract lest such actions embolden the company to commit further abuses. In the midst of investigating Shields’s case, another complaint came into the FEPC from Joseph Brown, a truckman’s helper, alleging that African Americans in North American’s transportation department were not being offered upgrades. In addition to his own complaint that he was being worked as a truck driver for 10-cents an hour below the actual classified rate, a number of Brown’s fellow workers were unhappy at having to train new white workers who would then advance ahead of them. There was also a great deal of dissatisfaction with the foremen in the transportation department, especially a former prison guard named Sells who allegedly bragged about shooting black prisoners. Hoping to adjust the matter through the union rather than the FEPC, Ellinger convinced Brown to gather his fellow black workers for a meeting with grievance committee chairman Davidson and Local 645 president O. H.

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<sup>69</sup> Leonard Brin to George Johnson, April 19, 1944, Folder “North American Aviation, 10-BR-156,” Box 8, Closed Cases, RG 228; Leonard Brin to R. J. Thomas, April 19, 1944, *ibid*; and “Final Disposition Report,” August 9, 1944, *ibid*.

Britt. Both union officers assured the men that they were welcome in the union hall and urged them to make use of the grievance procedure when any such discrimination took place. Ellinger concurred, telling the gathered workers that the union's regular shop procedure was the best place for them to seek redress since it had broader coverage than the FEPC. Davidson also agreed to appoint more African Americans to positions as union stewards and selected a man on the spot. For their part, Brown and his coworkers decided to hold a monthly meeting in order to convey their problems directly to Davidson and the grievance committee. When news of this gathering and the union's support for it reached the general foreman of the transportation department, he quickly agreed—over the objections of North American's labor relations director F. J. Conlan—to remove foreman Sells, appoint three black leadmen, and make a further investigation of Brown's pay discrimination claims.<sup>70</sup>

Impressive as the UAW and the IAM's local representation of African Americans was, skeptics will no doubt point out that official actions by union leaders reveal relatively little about the attitudes of rank-and-file members. And indeed, certain events do suggest that the racial attitudes of white aircraft workers did not soften significantly during the war—both the violence meted out to Willie Shields for pushing past a group of white workers at North American and the refusal of white employees to work alongside William Keele at Convair bear witness to this. Shameful as these episodes were, however, they must be considered alongside contrary examples. Though they had to be persuaded by District 776 leaders that it was in their interest, Keele's white antagonists

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<sup>70</sup> Don Ellinger to Leonard Brin, April 25, 1944, Folder "North American Aviation, 10-BR-288," Box 8, Closed Cases, RG 228; "Special Meeting of Dept. 59: Colored People," April 13, 1944, *ibid.*

did eventually accept him into their department without any further protest. And if the violence at North American was disturbing, it must also be remembered that according to Local 645 president W. M. Anderson, black janitors enjoyed great success in organizing white workers during the union's early efforts at the plant. Even more telling is the fact that the IAM's much-publicized campaigns to reinstate R. C. Carroll and secure equal wages for black female janitors did not elicit any apparent reaction from the thousands of white rank-and-filers who read about them in the widely circulated *Cow-Town Plane Facts*. While it would be going too far to argue that a lack of overt protest indicates the absence of racism, it does suggest that white workers were developing a basic sense of economic fairness with regard to their African American counterparts. At a time when they were struggling to secure an organizational foothold at Convair, District 776's leadership would certainly not have advertised these racial grievances if they felt that doing so might antagonize the all-white membership.

One other important incident at Convair reveals the slow but steady breakdown of exclusionary racial sentiment among the plant's white rank-and-file union members. In February 1944 a white worker named J. D. McNeely was laid off by Convair and his job was taken over by a group of less senior African Americans. Supported by the statements of at least six of his coworkers, McNeely filed a grievance with District 776 complaining about this situation. While it is tempting to view this complaint as being racially motivated, McNeely seems to have considered the incident from a less biased perspective and laid bare the issues at stake with admirable clarity:

When [assistant foreman] Smith told me he didn't have enough work for me I said to him that I thought the ones who had been there for some time should have preference over the newer ones. He told me seniority didn't count with him, that

he would keep the ones he wanted to. Apparently that is what he did because he kept men who had been employed less than six months.

For McNeely, the race of the individuals who replaced him was of secondary importance to the fact that they had spent less time in the plant, which was a clear violation of the seniority principle he and other District 776 members were demanding in the union's contract negotiations. This same sense of economic injustice was shared by the co-workers who testified on McNeely's behalf. Though they all made the point that "a Negro" had taken McNeely's job, these witnesses too seemed more concerned with the fact that the black replacement was doing the same work for the minimum rate of 60-cents per hour. It is also quite notable that these white witnesses did not follow the example set by their counterparts in the Keele case and walk out after McNeely's black replacement entered the department; instead, they stayed on the job. In short, the same goal that compelled union leadership to take up the grievances of African Americans and cooperate with the FEPC also drove the various participants in McNeely's case: a pragmatic desire to counter the arbitrary authority of the aircraft manufacturers. In this bitter industrial struggle, white aircraft workers had little choice but to recognize that their welfare and the strength of their union depended upon maintaining such colorblind economic principles as seniority and equal pay for equal work.<sup>71</sup>

Unfortunately, the evolution of racial attitudes and union practices notwithstanding, neither rank-and-file members nor their leaders were in a position to address the much larger problem of unemployment facing all defense workers as the end

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<sup>71</sup> "Statement of J. D. McNeely," n/d, Folder 15, Box 3, District 776 Papers; "Statement of Five Workers," March 4, 1944, *ibid*; and "Statement of H. C. Huff," March 6, 1944, *ibid*. Unfortunately, it is not clear exactly what action, if any, IAM officials took in this matter or whether McNeely was ever reinstated.

of the war began to loom. Proponents of fair employment were equally fearful that as wartime production slowed even the minor gains won by African Americans would quickly vanish once industries shut down and veterans returned from overseas. FEPC officials had tried to begin preparing for the inevitable downturn as early as the summer of 1944, but found themselves cut off from high-level discussions about reconversion to a peacetime economy. The impact of this falling economic tide on the FEPC's already limited bargaining power was particularly pronounced at Convair. As the final year of the war began, Ellinger had at last managed to gain some movement from management on the issue of training and upgrading African Americans. The turning point came in February 1945 when the Army ordered Convair to comply with the FEPC's program. While still adamantly denying that his company had ever practiced discrimination, Convair's director of labor relations, John Hassler, agreed to set aside the foundry, drop hammer, and plaster departments for African Americans and reassigned whites in these jobs elsewhere in the plant. In determining who would receive transfers, Hassler assured the FEPC that seniority and employee evaluations would govern. Though Ellinger cautioned that his superiors were likely to reject the plan if they thought that segregated departments would serve to limit black opportunities, given the frustrating history of negotiations at Convair he was willing to recommend Hassler's idea on a trial basis in order to prove that African Americans could be worked in higher classifications. Just as expected, the FEPC's national office expressed concern about the arrangement, but ultimately they too agreed that it should be temporarily accepted "as a prelude to complete compliance."<sup>72</sup>

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<sup>72</sup> Reed, *Seedtime for Modern Civil Rights*, 321-326; Don Ellinger to Clarence

At least initially, the upgrading program seemed to work quite well. According to Jackson Valtair, a consultant sent by Ellinger to meet with Hassler in late March 1945, management at Convair was “fairly satisfied” with the progress being made and had already conducted two separate training classes consisting of close to one hundred black employees under the supervision of skilled white sheet metal workers. Although Hassler contemptuously asserted that efficiency among the transferred black workers had fallen off after several weeks, Valtair confirmed that this slowdown was due to a change in the materials used. The black workers and their representatives in the Glover colored lodge also expressed their satisfaction with the program even as they urged continued vigilance on the part of the FEPC. By early May, African American employees of various skill levels represented over half of the workforce in the drop hammer department. Even more important, ninety of these workers had proven themselves in skilled classifications, leading Convair’s fabrication superintendent C. J. Petrick to conclude that the program should be extended when the need for additional workers arose.<sup>73</sup>

Unfortunately, by the time Petrick made this recommendation, the employment situation at Convair had already begun to deteriorate. Since initiating the upgrade plan in February 1945, close to 2,400 employees had been terminated due to decreasing workloads, and serious talks were being held on the prospect of cutting the workweek

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Mitchell, February 8, 1945, Folder “Consolidated-Vultee Aircraft Corp., 10-BR-235,” Box 2, Closed Cases, RG 228; Don Ellinger to Clarence Mitchell, February 9, 1945, *ibid*; “Outline of Plan Relative to Increasing Employment of Negro Men and Women,” n/d, *ibid*; Clarence Mitchell to Don Ellinger, February 28, 1945, *ibid*; and Don Ellinger to John Hassler, March 6, 1945, *ibid*.

<sup>73</sup> Jackson Valtair to Don Ellinger, March 26, 1945, Folder “Consolidated-Vultee Aircraft Corp., 10-BR-235,” Box 2, Closed Cases, RG 228; Jackson Valtair to Don Ellinger, May 11, 1945, *ibid*; John Hassler to Capt. M. H. Baugh, May 12, 1945, *ibid*; and “Present Status of Plan for Employment of Negro Workers at Consolidated-Vultee Aircraft Corp.,” n/d, *ibid*.

back to forty hours in order to avoid more layoffs. In light of these facts, Hassler reported that “the company does not feel that it would be justified in terminating qualified, experienced, white employees in order to make jobs for Negroes.” More disturbing was the announcement in late May that the Army was cutting back its purchases of aircraft by some 17,000 planes. As a result, by the end of September the workforce at Convair, which stood at roughly 23,000 at the beginning of the year, was scheduled to be slashed by another 10,000 employees. Having already produced a large surplus of parts, Convair’s fabrication operations were particularly hard hit. In an ominous signal of the hard times to come, the company announced that the drop hammer department into which many African Americans had recently transferred was scheduled for elimination. Whether or not there was any sinister intent behind this decision is difficult to say, but Ellinger immediately realized that the rug had been pulled out from under the FEPC’s program. Given that more than 4,000 of the fabrication workers being laid off were white, Ellinger concluded “[it] seems...we have no acceptable complaint because of the one hundred Negroes who were included in the reduction.”<sup>74</sup>

The situation was even bleaker at Grand Prairie, where in mid-August 1944 the Army abruptly decided to curtail all of North American’s existing bomber contracts. Although the plant retained some subcontracting work, the announcement meant that more than half of the roughly 30,000 total employees still on the company’s payroll were to be laid off by the end of the year in line with their seniority. With hundreds of workers

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<sup>74</sup> “Present Status of Plan for Employment of Negro Workers at Consolidated-Vultee Aircraft Corp.,” n/d, “Consolidated-Vultee Aircraft Corp., 10-BR-235,” Box 2, Closed Cases, RG 228; Don Ellinger to Will Maslow, May 31, 1945, *ibid*; “Reverting to 40-Hours Week is Now Being Considered,” *Cow-Town Plane Facts*, May 11, 1945; “Cutback Starts in Fort Worth,” *Cow-Town Plane Facts*, June 1, 1945; and Chamberlain, *Victory at Home*, 157.

leaving every week, it was not long before African Americans got caught up in the fray. In December, Volney Phillips, one of the three black men promoted to the position of leadman in the transportation department case outlined above, received word that he was being demoted to truck driver and replaced by a less senior white employee. When Phillips asked why, his foreman forthrightly told him that there was no longer an all-black crew for him to lead due to cutbacks and departmental rearrangements. Ellinger quickly sent off a letter protesting this decision and requesting access to the company's employee evaluations so that he could determine for himself whether Phillips was entitled to remain in the position. Rather than dispute the FEPC's charges, however, North American's labor relations director F. J. Conlan simply replied that the company had utilized as many African Americans as it could and would continue to do so "when practical." For his own part, Ellinger could do little more—in July 1945, southern legislators had successfully managed to cut the FEPC's budget in half, virtually crippling its field operations. Given these circumstances and the acceleration of layoffs in the plant, Ellinger conceded that the case was no longer adjustable. This conclusion became manifest two weeks later when, in the wake of the Japanese surrender, North American announced that the Grand Prairie plant was to be shut down completely and all of its remaining 15,000 employees let go.<sup>75</sup>

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<sup>75</sup> "Memo to File," January 23, 1945, Folder "North American Aviation, Inc., 10-BR-454," Box 8, Closed Cases, RG 228; Don Ellinger to F. J. Conlan, February 6, 1945, *ibid*; "Memo to File," July 30, 1945, *ibid*; F. J. Conlan to Don Ellinger, February 19, 1945, Folder "North American Aviation, 10-BR-76," Box 7, Closed Cases, *ibid*; "17,000 More Workers at North American Face Layoff by Mid-November," *Dallas Morning News*, August 17, 1944, August 16, 1945; and Reed, *Seedtime for Modern Civil Rights*, 328.



Given that the emasculated FEPC was unable to mount even a feeble campaign against the wholesale liquidation of black workers during the final months of the war, how are its investigations at North American and Convair to be evaluated? Any answer to this question must take into consideration the hard fought gains Ellinger and his counterparts achieved for African Americans over the previous years. When the Region X office first opened, North American had adamantly refused to hire black workers for any other than janitorial and labor positions. But by mid-1944, over 2,300 African Americans worked in fifty-seven different classifications, including over four dozen black leadmen and assistant foremen. Though hundreds of these employees were still concentrated in unskilled work, for many others who gained work as riveters, assemblers, and inspectors, both the FEPC and UAW Local 645's help were crucial. In contrast, the record of achievement at Convair, where a harder-nosed managerial style prevailed much longer than at North American, was a great deal more mixed. As late as October 1944, the Fort Worth plant only employed about 600 African Americans out of a total workforce of some 20,000, and all of these workers were concentrated in a mere seven classifications. By the time the FEPC and its local allies in the IAM gained the backing of the military to force an upgrading plan from Convair, wartime cutbacks had made this a moot point. As the war in the Pacific entered its final weeks, Ellinger regretfully stated that Convair had given the committee "the shadow of a satisfactory adjustment without its substance." Ultimately, when one considers the wholesale terminations that took place throughout the country in all of the defense industries the FEPC investigated, Ellinger's conclusion takes on even greater importance.<sup>76</sup>

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<sup>76</sup> "Final Disposition Report," October 19, 1944, Folder "Consolidated-Vultee

Tragically, the bleakness of the war's final days for black aircraft workers was echoed during the immediate postwar years. With the closing of North American and the downsizing of Convair, only a severely limited pool of jobs remained open to African Americans in the Fort Worth plants—once again, brooms and shovels quickly replaced rivet guns and metal presses as the main tools for those lucky enough to remain in aircraft production. Furthermore, the FEPC's loss of its congressional battle for permanence in 1946 deprived African Americans of a symbolically important ally in their struggle for equality on the job—it would not be until 1953, in fact, that fair employment would once again become a priority for the federal government with the creation of President Dwight Eisenhower's Committee on Government Contracts.<sup>77</sup> The absence of the FEPC also meant that IAM District 776, Fort Worth's only remaining aircraft union, rapidly lost interest in the special problems facing black workers. As national IAM leaders struggled to revise the union's discriminatory initiation ritual and define their place in the emerging postwar civil rights coalition, local IAM leaders focused on the day-to-day shopfloor struggles essential to forging a vigorous union and a strong contract. Though they did not completely turn their backs on African Americans, these more organizationally secure union leaders made little effort to link the racial grievances of an underrepresented

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Aircraft Corp., 10-BR-127," Box 2, Closed Cases, RG 228; and Don Ellinger to Clarence Mitchell, July 16, 1945, Box 2, Closed Cases, "Consolidated-Vultee Aircraft Corp., 10-BR-235," *ibid.*

<sup>77</sup> On the final days of the FEPC, see Reed, *Seedtime for Modern Civil Rights*, 321-43. For information on the President's Committee on Government Contracts and equal employment during the 1950s, see Chapter 3. Also see Robert Frederick Burk, *The Eisenhower Administration and Black Civil Rights* (Knoxville: University of Tennessee Press, 1984), 89-108; Paul Moreno, *From Direct Action to Affirmative Action: Fair Employment Law and Policy in America, 1933-1972* (Baton Rouge: Louisiana State University Press, 1997), 180-88; and Ronald Alan Schlundt, "Civil Rights Policies in the Eisenhower Years" (Ph.D. dissertation, Rice University, 1973), 59-91.

minority group to the broader economic interests of the entire membership. Coupled with the FEPC's demise and the fact that liberal policymakers were divided over and thus unable to provide leadership on the question of national economic planning, the loss of interest by local union allies meant that African Americans would have to go forward in the peacetime economy unshielded from the arbitrariness of the aircraft industry's volatile labor market.<sup>78</sup>

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<sup>78</sup> On the debates over national economic planning both during World War II and immediately after, see Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Alfred A. Knopf, 1995); Lizabeth Cohen, *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (New York: Knopf, 2003); Jonathan Bell, *The Liberal State on Trial: The Cold War and American Politics in the Truman Years* (New York: Columbia University Press, 2004); Otis L. Graham, Jr., *Toward a Planned Society: From Roosevelt to Nixon* (New York: Oxford University Press, 1976); and Ellis Hawley, *The New Deal and the Problem of Monopoly: A Study in Economic Ambivalence* (Princeton, NJ: Princeton University Press, 1966).

## CHAPTER 2

### **“EQUALITY DOES NOT MEAN DISCRIMINATION— NEITHER DOES IT MEAN PREFERENCE”: ORGANIZED LABOR AND POSTWAR CIVIL RIGHTS, 1945-1954**

In May 1946 a black worker from Fort Worth named I. G. Weaver sent a letter to the headquarters of the American Federation of Labor (AFL). Writing in his capacity as financial secretary of Federal Labor Union No. 23394, better known to its approximately three dozen members as the Glover Colored Aircraft Workers Union, Weaver advised the Federation that his local was in dire economic straits. For the past twelve weeks, District Lodge 776 of the International Association of Machinists (IAM) had been engaged in a bitter strike to secure a new contract and higher wages from management at the Consolidated-Vultee (Convair) aircraft plant. Despite the difficulties they faced finding temporary work in an area already hard hit by postwar layoffs and plant closures, Weaver claimed that neither he nor any other African American in the Glover union had crossed the picket line set up by the IAM outside Convair's front gate. Unfortunately, despite their solidarity, Weaver complained that he and his fellow black workers had thus far failed to receive any of the strike benefits owed to them by the local union. "I do not think it is the AFL headquarters' fault," Weaver declared, "but more or less the negligence or oversight of our local representative 776, who has our bargaining right with the machinist at [Convair]."<sup>1</sup>

Reflecting the ambiguous situation that African American workers found themselves in during peacetime, episodes similar to that faced by Weaver were played

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<sup>1</sup> I.G. Weaver to William Green, May 7, 1946, Reel 52, *American Federation of Labor Records, Part I: Strikes and Agreements File, 1898-1953*, eds. Randolph Boehm and Martin Paul Schipper (Frederick, MD: University Publications of America, 1986; hereinafter cited as AFL Microfilm).

out all across the nation in the years following World War II. The white supremacist southern lawmakers who successfully blocked the creation of a permanent Fair Employment Practice Committee (FEPC) not only deprived black workers of a potentially powerful government ally but also reduced the likelihood that unions such as District 776 would continue to confront their own history of racial discrimination. As historian Charles Chamberlain has argued, “[The] decline of civil rights as an issue within...organized labor generally after the war signified to African American workers that the majority of white labor leaders could afford to ignore black demands for equal representation, the elimination of Jim Crow, and wage equality overall.”<sup>2</sup> Though they are not always in agreement about the causes of this neglect, most historians of the period have adhered to some version of Chamberlain’s argument. In their path-breaking article on the experiences of organized workers in the tobacco and automobile industries, for example, Robert Korstad and Nelson Lichtenstein contend that anti-communism and the “routinization of the...industrial relations system” robbed these racially egalitarian unions of their radical potential in the postwar period. Within a few short years after the war, the black workers who had done so much to build these unions became afterthoughts for the whites who were leading them. Bruce Nelson has reached similar conclusions regarding the steelworker’s union. Following a brief period of racial “equilibrium” within the southern steelmaking industry, Nelson argues that African Americans became

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<sup>2</sup> Charles D. Chamberlain, *Victory at Home: Manpower and Race in the American South during World War II* (Athens: University of Georgia Press, 2003), 197.

the victims of neglect as white trade unionists “chose not to allow these concerns to jeopardize the institutional survival of their organizations.”<sup>3</sup>

If Weaver’s letter is any indication, union leaders at Convair were clearly grappling with similar questions about the role African Americans should play in the postwar labor movement. Although wartime expediency had led a number of District 776’s more pragmatic leaders to cooperate with the FEPC, new peacetime challenges—the most significant of which was the drastic reduction in the total number of aircraft jobs and the blow this dealt to union power—now served to obscure the special problems faced by black workers. As membership rolls declined and shopfloor grievances multiplied, local IAM officials shifted their attention away from fair employment for African Americans and concentrated instead on organizing and extending the economic rights of all workers who were fortunate enough to have jobs at Convair. The fact that unions everywhere were facing a well-orchestrated backlash against their recent wartime gains only served to further justify the belief that race discrimination and other social

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<sup>3</sup> Robert Korstad and Nelson Lichtenstein, “Opportunities Found and Lost: Labor, Radicals, and the Early Civil Rights Movement,” *Journal of American History*, 75 (December 1988), 786-811; and Bruce Nelson, “‘CIO Meant One Thing for the Whites and Another Thing for Us’: Steelworkers and Civil Rights, 1936-1974,” in *Southern Labor in Transition, 1940-1995*, ed. Robert H. Zieger (Knoxville: University of Tennessee Press, 1997), 113-45. For other studies that examine the post-war racial retrenchment of organized labor, see Barbara S. Griffith, *The Crisis of American Labor: Operation Dixie and the Defeat of the CIO* (Philadelphia: Temple University Press, 1988); Bruce Nelson, *Divided We Stand: American Workers and the Struggle for Black Equality* (Princeton, NJ: Princeton University Press, 2001), 46-141, 185-218; Michael Botson, Jr., *Labor, Civil Rights, and the Hughes Tool Company* (College Station: Texas A&M University Press, 2005), 146-62; Eric Arnesen, *Brotherhoods of Color: Black Railroad Workers and the Struggle for Equality* (Cambridge, MA: Harvard University Press, 2001), 181-229; and Kevin Boyle, *The UAW and the Heyday of American Liberalism, 1945-1968* (Ithaca, NY: Cornell University Press, 1995), 107-131.

issues were of tangential concern to the larger goals of District 776's organizational and economic security.<sup>4</sup>

Fortunately for both African Americans and the IAM's legacy, the history of labor relations at Convair after 1945 was more than just a simple tale of selfish institutional neglect. If District 776 was not exactly a paragon of the more progressive forms of civil rights unionism found elsewhere, neither was it associated with the reactionary backlash against African Americans and fair employment being voiced in many corners of the South.<sup>5</sup> Unfortunate as it was, the negligence that Weaver and other black strikers complained about was less a reflection of underlying racism than of a rapidly evolving union whose leaders were adjusting to new economic challenges. The struggle to overcome the unique volatility of the aircraft industry's demand for labor and secure some form of job security impressed upon District 776 officers the importance of

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<sup>4</sup> On the larger forces that eliminated much of the militancy within the postwar American labor movement, see Nelson Lichtenstein, *State of the Union: A Century of American Labor* (Princeton, NJ: Princeton University Press, 2003), Ch. 2 and 3; Nelson Lichtenstein, *The Most Dangerous Man in Detroit: Walter Reuther and the Fate of American Labor* (New York: Basis Books, 1995), 220-326; Christopher Tomlins, *The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880-1960* (Cambridge: Cambridge University Press, 1985), 247-327; Robert H. Zieger, *The CIO, 1935-1955* (Chapel Hill: University of North Carolina Press, 1995), 212-304; James Atleson, *Labor and the Wartime State: Labor Relations and Law during World War II* (Urbana: University of Illinois Press, 1997), 203-80; Steve Rosswurm, ed., *The CIO's Left-Led Unions* (New Brunswick, NJ: Rutgers University Press, 1992); Howell John Harris, *The Right to Manage: Industrial Relations Policies of American Business in the 1940s* (Madison: University of Wisconsin Press, 1982); and Elizabeth Fones-Wolf, *Selling Free Enterprise: The Business Assault on Labor and Liberalism, 1945-1960* (Urbana: University of Illinois Press, 1994).

<sup>5</sup> On civil rights unionism, see Robert Korstad, *Civil Rights Unionism: Tobacco Workers and the Struggle for Democracy in the Mid-Twentieth-Century South* (Chapel Hill: University of North Carolina Press, 2003); Michael Honey, *Southern Labor and Black Civil Rights: Organizing Memphis Workers* (Urbana: University of Illinois Press, 1993); and Rick Halpern, *Down on the Killing Floor: Black and White Workers in Chicago's Packinghouses, 1904-54* (Urbana: University of Illinois Press, 1997).

strong representation for both black and white workers on the shopfloor and at the bargaining table. Throughout the late 1940s and early 1950s, black workers at Convair would come to discover that they could indeed still count on local IAM officials to adjudicate their grievances with the same vigor and commitment to contractual fairness that white workers received. Moving beyond the factory to the political battles raging over organized labor's ultimate fate, these pragmatic local IAM leaders also offered a surprising amount of support for early civil rights reforms and used the local labor press as a mouthpiece to steel the New Deal coalition against its detractors. Of course, there were limits to the amount of racial equality that District 776 was willing to accept, but the fact that it was advocating civil rights at all served to set it apart from all but a handful of the most radical southern unions. This moderation was mirrored on a broader level in the gradual transformation of the IAM from an exclusionary, lily-white craft union into a full-fledged industrial union that invited members of all races into its ranks. As the nation hurtled toward the twentieth century's defining struggle for racial equality, both the IAM and its local leaders in Fort Worth underwent a slow but steady transformation that would ultimately place them among the early forces attempting to undermine Jim Crow's historical legacy.<sup>6</sup>

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<sup>6</sup> For a broader sampling of studies that view the 1940s and the post-World War years as a watershed for civil rights activism, see Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996); John Egerton, *Speak Now Against the Day: The Generation before the Civil Rights Movement in the South* (New York: Knopf, 1994); Risa Goluboff, *The Lost Promise of Civil Rights* (Cambridge, MA: Harvard University Press, 2007); Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York* (Cambridge, MA: Harvard University Press, 2003); Adam Fairclough, *Race and Democracy: The Civil Rights Struggle in Louisiana, 1915-1972* (Athens: University of Georgia Press, 1995); Charles M. Payne, *I've Got the Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle* (Berkeley: University of California Press, 1995); and Glenda Gilmore,



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The summer of 1945 was an unsettling time for African American employees at the Convair plant. Like most other patriotic Americans, they held their breath hoping that the horrible war the country was engaged in would soon end and reunite friends and loved ones back home. At the same time, however, as workers in a wartime defense plant they understood better than most the economic challenges that lay ahead. Having only recently gained access to higher paying jobs through the hard-fought efforts of the FEPC, hundreds of African Americans no doubt began planning for leaner times when Convair announced in June that it was cutting the plant's entire second shift and would be laying off some 10,000 employees by September. Many of these workers soon discovered that the fabrication departments they had worked so hard to enter were no longer needed by the company, which already had large surpluses of parts and other materials on hand. While it is not known how many African Americans were laid off in total, the membership figures for the Glover Colored Aircraft Workers Union reflect the rapidity of the cutbacks that followed. In the month before Convair's June announcement, the local listed 160 fully paid members, but by July this number had fallen precipitously to only 42. By year's end, this figure dropped even further to 38, where it remained unchanged until the start of the strike in February 1946. For those African Americans lucky enough to remain on Convair's payroll, the skilled occupations

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*Defying Dixie: The Radical Roots of Civil Rights, 1919-1950* (New York: W. W. Norton & Co., 2008).

that they had briefly held once again became white monopolies while they themselves were shuttled back into such menial jobs as janitor and laborer.<sup>7</sup>

With so many thousands of workers being laid off, District 776 had its hands full seeing that Convair observed the seniority provisions it had agreed to in its wartime contract with the union. Conflicts with the company soon developed as union officials were faced once more with a managerial team stubbornly intent on maintaining arbitrary control over the plant's workforce. Almost immediately after Convair began handing out pink slips, the union was flooded with grievances from workers complaining that they had been let go out of line with seniority. Considering the tenacity with which Convair officials had opposed the FEPC's investigations over the past three years, even in the absence of clear evidence it is safe to assume that African Americans were indeed singled out by management during the confusion surrounding the cutbacks. It is also likely, though again mere speculation, that these same black workers did not receive special assistance from the union either. With hundreds of complaints pouring into its headquarters, District 776 instead chose to file a series of blanket charges against Convair accusing the company of failing to abide by its contractual obligations.<sup>8</sup>

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<sup>7</sup> "Cutback Starts in Fort Worth," *Cow-Town Plane Facts*, June 1, 1945; "Present Status of Plan for Employment of Negro Workers at Consolidated-Vultee Aircraft Corp.," n/d, Folder "Consolidated-Vultee Aircraft Corp., 10-BR-235," Box 2, Closed Cases, Records of the Committee on Fair Employment Practice, Record Group 228, National Archives and Records Administration-Southwest Region, Fort Worth, Texas; "Membership Totals," June 10, 1946, Reel 52, AFL Microfilm. For other examples of the wholesale replacement faced by southern black workers at the end of World War II, see Chamberlain, *Victory at Home*, 154-80; and Timothy Minchin, *The Color of Work: The Struggle for Civil Rights in the Southern Paper Industry, 1945-1980* (Chapel Hill: University of North Carolina Press, 2001), 28-31.

<sup>8</sup> "In Many Instances Convair Failed to Follow Seniority Rules as Agreed," *Cow-Town Plane Facts*, June 8, 1945; "IMA District Lodge 776 Has Filed Non-Compliance against Convair," *Cow-Town Plane Facts*, June 22, 1945; and Kirk White, "The

Given the enormity of the task it faced in overseeing the layoffs and the unlikelihood that it would be able to offer anyone personalized help, one might expect that the union would have little time or inclination to comment on anything even remotely concerning fair employment as it related to black workers. Interestingly, though, this was not the case, at least during the initial period of the layoffs and subsequent postwar readjustment. Although the leaders of District 776 had never publicly taken a position for or against the FEPC during the war, these same officers used the union's local mouthpiece, the *Cow-Town Plane Facts*, to voice editorial support for the cause of fair employment once Congress began to consider the committee's postwar fate. Setting aside the IAM's official stance on political non-partisanship, the union-owned and published paper urged its readers not to be taken in by racist politicians. *Plane Facts* editor Frank Gauthier was especially critical of Mississippi senator and admitted Ku Klux Klan member Theodore Bilbo. In June 1945 and again in February 1946, Bilbo led a handful of southern Democrats in a pair of filibusters that successfully blocked efforts to secure postwar funding and permanent agency status for the beleaguered FEPC. Insisting that the movement for a peacetime committee "would...put teeth in the principles of [our] democracy," Gauthier and *Plane Facts* condemned Bilbo's efforts as an attempt to justify ganging up "on Negroes, Jews, or any other segment of our citizens [to] deny them an equal opportunity to earn a living" and went on to suggest that the voters of Mississippi give serious consideration to removing the senator from office. The paper even went so far as to cast aspersions on the senator's patriotism by including

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Development of IAM District Lodge 776 in Fort Worth, Texas, 1942-1946: A Case Study in the Growth of Organized Labor during World War II," (M.S. thesis, University of North Texas, 1999), 114, 117

an article in which Gen. Dwight D. Eisenhower condemned obstructionist southern lawmakers such as Bilbo for publicly maligning both the FEPC and the character of black soldiers.<sup>9</sup>

Even more surprising than District 776's support for a peacetime FEPC was the sympathetic attitude expressed by its leaders toward African Americans and other minorities. Acknowledging the first peacetime holiday season in four years and citing Christian principles of brotherly love as its guide, *Plane Facts* declared that there was no place for hatred in the nation's future. Pointing out that less than half of the country's population was composed of "native white persons," the paper asked readers to consider what would happen if minorities and the majority became mired in hatred toward one another. "In that event," Gauthier editorialized, "our progress would stop and this country would retrograde." The brief article also went on to liken the nation's "hate gang," an obvious reference to the FEPC's opponents and numerous other racist elements in American society, to the Nazis and warned that the same disasters that had so recently befallen Europe could also happen in the United States if such individuals and groups were allowed to remain unchecked.<sup>10</sup>

The semi-progressive racial views voiced by *Plane Facts* and, by extension, the local leadership of District 776 who funded its publication, stand in stark contrast to those

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<sup>9</sup> "Eisenhower Answers Negro-Baiters," *Cow-Town Plane Facts*, August 10, 1945; and "Bilbo's Filibuster a Sorry Spectacle," *Cow-Town Plane Facts*, February 8, 1946. On the FEPC's ultimately futile struggle to gain permanency in the postwar era, see Merl Reed, *Seedtime for the Modern Civil Rights Movement: The President's Committee on Fair Employment Practice, 1941-1946* (Baton Rouge: Louisiana State University Press, 1991), 168-70, 321-43; Louis Ruchames, *Race, Jobs, and Politics: The Story of FEPC* (New York: Columbia University Press, 1953), 128-29; and Chamberlain, *Victory at Home*, 177-80.

<sup>10</sup> "Minorities Make Up Our Population—Hatred Has No Place Here," *Cow-Town Plane Facts*, December 21, 1945.

of the broader labor movement in Fort Worth. Throughout the war years, the sentiment of Fort Worth's old-line craft union leaders had been voiced forcefully by octogenarian typographer C. W. Woodman. Using his own labor journal the *Union Banner*, Woodman frequently blasted the efforts of the FEPC and its supporters, maintaining that they were after nothing less than social equality for African Americans. For example, in a 1944 editorial pondering what social equality would mean for the South, Woodman did not pull any punches. "Some would have us think," he argued, "[that social equality] means the colored people should be permitted to think they are the equal of any groups of citizens in this country. Foolish idea—may lead Negroes to trouble as it has in other years." When the bill for a permanent FEPC came up in Congress in early 1946, Woodman once again wasted no time condemning it as a detriment to southern race relations. In a reprint of an editorial originally published by the *Fort Worth Star-Telegram*, the *Union Banner* warned that the bill was nothing more than a cynical attempt by its proponents to capture the votes of minorities in their home states. If approved, a permanent FEPC "would dictate to employers what employees they must hire and would set back the cause of racial tolerance for years." In direct contrast to the position taken by *Plane Facts*, Woodman's *Union Banner* fully supported the filibuster led by Bilbo and others, insisting that these lawmakers had no other choice if they hoped to avoid having such a law or the allegedly Negro-dominated FEPC "[forced]...down the throats of the people."<sup>11</sup>

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<sup>11</sup> "Colored People's Enemy," *Union Banner*, August 13, 1943; "Breeding Race Trouble," *Union Banner*, October 8, 1943; "What is 'Social Equality?'" *Union Banner*, December 10, 1943; "What is Social Equality?" *Union Banner*, August 11, 1944; and "Nothing Fair About FEPC," *Union Banner*, January 25, 1946.

Lest the contrast between these two papers and their readers appear too stark, it is important to remember that local union leaders at Convair were products of the same segregated South that Woodman was trying to defend and thus retained their own racial prejudices as well. For example, even as *Plane Facts* railed against the un-American principles behind the FEPC filibuster and Bilbo's obstructionism, it was careful to point out that the bill's opponents had injected a number of irrelevant issues into the debate. "FEPC does not tend to establish social equality," the paper assured its readers. "It is obvious such can't be established by legislation, because it is contrary to human characteristics and there is not social equality within any race." Perhaps hoping to drive this point home and assuage the racial fears of jittery white aircraft workers, in the midst of the FEPC debate *Plane Facts* prominently displayed a report assuring its readers that the National Labor Relations Board (NLRB) had no objections to the IAM's practice of segregating black workers into separate auxiliaries. The subtext of this article, of course, was that the organization of black workers and the advancement of economic fairness need not at all lead to any kind of social interaction between the races. The paper also proved on several occasions that it was not above making jokes at the expense of black workers. In one particularly crass attempt at humor, the paper went so far as to suggest that African Americans were monkeys. Usually written in a crude, stereotyped dialect, such jokes served as a not-so-subtle reminder that even within such an ostensibly progressive union as District 776 the racial culture of the Jim Crow South remained formidable.<sup>12</sup>

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<sup>12</sup> "That Filibuster Again," *Cow-Town Plane Facts*, July 6, 1945; and "Segregation of Negro Workers into Separate Local Unions is No Basis for Rejecting Petition for Representation," *Cow-Town Plane Facts*, July 27, 1945. For examples of

Since an enlightened desire for social equality was obviously not the motive, what then could account for the heterodox views of this local IAM mouthpiece on such controversial subjects as the FEPC and segregationist politics? Although there is evidence that a group calling itself the Fort Worth Council for a Permanent FEPC had attempted to actively solicit the support of workers as early as May 1945, given the relatively small number of African Americans at Convair and the fact that they were organized in their own federal labor union separate from the IAM, it seems unlikely that the district lodge's views on the FEPC were reflective of any organized black political pressure.<sup>13</sup> A more promising source for these liberal views was *Plane Facts* editor Frank Gauthier himself. Hired at Convair as a jig and fixture builder shortly after the attack on Pearl Harbor, this native-born Texan also served on the executive committee of a progressive political organization known as the Texas Social and Legislative Conference (TSLC). The TSLC was formed in February 1944 and brought together representatives from various working-class organizations—including AFL and Congress of Industrial Organization (CIO) unions, railroad brotherhoods, farm organizations, and women's and veteran's associations—for the purpose of building "a greater democratic Texas for all citizens." In order to accomplish this laudable goal, the TSLC drafted the "People's Legislative Platform," a grocery list of liberal demands that included legal

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*Plane Facts*' crude racial humor, see "His Pedigree," February 10, 1944; and "Puffs and Kicks by Fort Worth's War Hoss," n/d., Folder 11, Box 1, Collection AR 48, International Association of Machinists and Aerospace Workers District Lodge No. 776 Papers, University of Texas at Arlington Special Collections (hereinafter cited as District 776 Papers).

<sup>13</sup> G. W. William and Almita S. Robinson to "Fellow Citizens," May 16, 1945, Folder 5, Box 15, Collection AR 239, Margaret Carter Papers, University of Texas at Arlington Special Collections (hereinafter cited as Carter Papers). For information on the various organizations formed throughout the South to lobby for a permanent FEPC, see Chamberlain, *Victory at Home*, 177-80, 187-96.

protection for disabled veterans, financial and social assistance for farmers, and the enactment of various labor laws.<sup>14</sup> Although a lack of sources makes it difficult to reconstruct the personal views of the TSLC's members, the fact that Gauthier was an executive committeeman in the organization suggests that he was fairly progressive in his outlook. At the same time, however, it is important to recognize that the TSLC did not list any African American organizations as affiliates, nor would its legislative program include demands for any kind of civil rights reform until well into the 1950s, and even then it was fairly tepid on the subject. While this does not necessarily mean that the TSLC was hostile toward African Americans, it does suggest that Texas liberals suffered from the same "race problem" that afflicted so many of their left-of-center counterparts throughout the South and the nation.<sup>15</sup>

Returning to the question of how *Plane Facts*—and, by extension, Gauthier and the other IAM officers who supported its publication—acquired its favorable views of the FEPC, the answer seems to lie in political concerns similar to those driving the TSLC. Just as their pragmatic economic desire for a contract had led them to assist Convair's black workers and cooperate with the FEPC during the war, so too did District 776's leaders' concerns over the fate of New Deal economic reforms drive them to publicly

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<sup>14</sup> "A People's Legislative Platform for Texas, 1946," Folder 1, Box 20, Carter Papers. Biographical information on Gauthier taken from "Presenting Officers of Fort Worth Machinists Lodge," *Cow-Town Plane Facts*, April 27, 1945.

<sup>15</sup> On the TSLC's support for civil rights, see "Legislative Program, 1955," Folder 6, Box 1, Collection AR 120, Texas Social and Legislative Conference Records, University of Texas at Arlington Special Collections (hereinafter cited as SLC Records). For interesting discussions of the "race problem" that existed among many southern liberals, see Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996); and Glenda Gilmore, *Defying Dixie: The Radical Roots of Civil Rights, 1919-1950* (New York: W. W. Norton & Co., 2008).



express moderate racial positions in the months after the war. Since at least early 1944, union officials at Convair had expressed deep concern about the shape of the postwar economy. Recognizing that the war boom could not last forever, they maintained that it would eventually be necessary to find jobs for some 79,000 aircraft workers, 80 percent of whom were employed by either Convair or NAA. The only solution, the union's leaders editorialized, was to increase the purchasing power of workers and extend social security protections.<sup>16</sup> Within months after the war's end, such worries became manifest as news of the growing backlash against both the Democratic Party's reformist platform and the growing strength of organized labor decorated the front pages of the nation's newspapers. Presented with this increasingly inhospitable landscape, union officials in Fort Worth's rapidly contracting aircraft industry seem to have realized that maintenance of the New Deal's social democratic agenda depended upon exposing the anti-progressive foundation upon which the South's system of race-baiting politics was built. In short, the support that District 776's leaders showed for both a permanent FEPC and black workers was not an end in itself but rather a practical means toward a larger social and political goal.<sup>17</sup>

As important as they were, *Plane Facts'* expressions of solidarity with the racial goals of the New Deal coalition proved to be short-lived. Throughout the first half of

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<sup>16</sup> "Aircraft Bulletin," January 26, 1944, Folder 19, Box 2, District 776 Papers; "Fort Worth and Dallas Areas Face Serious Disemployment Problem," *Cow-Town Plane Facts*, January 27, 1944; and "Editorial," *Cow-Town Plane Facts*, February 24, 1944.

<sup>17</sup> On the challenges facing New Deal liberals and liberalism in the 1940s, see Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Alfred A. Knopf, 1995), 227-72; Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, NJ: Princeton University Press, 1996), 15-87; Jonathan Bell, *The Liberal State on Trial: The Cold War and American Politics in the Truman Years* (New York: Columbia University Press, 2004), 1-159; and Boyle, *UAW and the Heyday of American Liberalism*, 1-106.

1946, these editorial departures from segregationist sentiment were largely replaced by more exciting news concerning the strike that District 776 began waging against Convair in February of the same year. The seeds of Fort Worth's first major postwar labor conflict had originally been planted in September 1945 when members of the union's negotiating committee met with Convair officials to work out a postwar contract. From the start the talks were a disaster. Like most large industrial firms at the end of the war, management at Convair was determined to reassert the authority over workers that it felt had been stolen by unions, government production boards, and the FEPC in the preceding years. Faced with demands for higher wages, reauthorization of the union's maintenance of membership and dues check-off clauses, and stricter compliance with contractual grievance procedures, the company responded with a hard-nosed refusal to bargain. Over the next several months, talks were broken off and restarted several times until in November the members of District 776 petitioned the NLRB for a strike vote. In a last ditch effort to avoid a strike, the two sides met one more time in January 1946, but the company still refused to budge. "The Fort Worth officials of CVAC have stated at various times that certain parts of the previous contract were never agreed to but was crammed down their throats by the War Labor Board and they didn't intend to even try to negotiate those subjects," reported District 776 secretary-treasurer E. P. Fortner. "The CVAC officials stated it was not their idea to even have a working contract and now since the war was over, they were not giving anything." Faced with this continued intransigence, the 2,600 workers remaining in the IAM's production and maintenance unit set up picket lines outside Convair's front gate on February 25, 1946.<sup>18</sup>

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<sup>18</sup> "Statements re: CVAC Refusing to Bargain with IAM in Good Faith," March

During the fourteen weeks that it lasted, the Convair strike treated observers in Fort Worth to an oftentimes violent spectacle that recalled the more famous labor-management conflicts of the 1930s. Thanks to an amateur filmmaker whose handiwork was acquired by the author and recently digitized by the Special Collections staff at the University of Texas at Arlington, it is now possible for latter-day historians to play witness to the anger that the conflict provoked. This amazing footage shows hundreds of pickets engaging in verbal battles with similar numbers of strikebreakers as they tried to enter the plant. Although Convair claimed that these employees were working jobs outside the union's production and maintenance unit, the tension of the situation remains clear to see. In one scene, for example, a group of pickets is shown shaking their fists at a strikebreaker while another points and mouths what appears to be the words "I know where you live." Neither Tarrant County sheriff's deputies nor an IAM sound truck set up by District 776 to issue instructions appeared to have any calming effect on the situation as both picketers and strikebreakers continued to confront one another each day.<sup>19</sup> In fact, even after Convair secured an injunction limiting the number of pickets the union could place at the front gate, the striking workers simply spread themselves along the length of the highway leading to the plant, thus making the situation even more difficult to control. Though they are not shown in any of the footage, the Texas Rangers were eventually brought out to keep order after a number of strikers were attacked with

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14, 1946, Folder 13, Box 4, District 776 Papers; "Machinists Union Stops CVAC Production at Fort Worth Complex," *Cow-Town Plane Facts*, March 1, 1946; and White, "Development of IAM District Lodge 776," 117-22.

<sup>19</sup> "Anti-Violence Law Will Get Tested," *Cow-Town Plane Facts*, March 15, 1946; "Brief Testimony of Witnesses for CVAC beginning March 25, 1946," n/d, Folder 2, Box 5, District 776 Papers; and International Association of Machinists District Lodge No. 776 DVD, Box 1, Unprocessed mss., Accession 2010-35, University of Texas at Arlington Special Collections (hereinafter cited as District Lodge 776 DVD).

bats and brass knuckles.<sup>20</sup> Not surprisingly, the film also does not document any of the more covert operations that apparently took place away from the picket lines. While each side adamantly denied having participated in any such guerilla activity, both strikers and strikebreakers reported being the victims of harassment, sabotage, and dynamite attacks during the latter days of the strike. In a stunning indication of just how explosive the situation was, numerous witnesses testified that E. E. Barbe, Convair's manager of plant security, had gone so far as to offer to kill District 776 president J. F. Foster if any of the union's members so desired. Luckily for Foster, no one was willing to take Barbe up on the offer.<sup>21</sup>

For those African Americans caught in the middle of this bitter conflict, the strike put them in a difficult position of having to choose between an unashamedly discriminatory company and a union that still refused to accept them as full and equal members. Given the contradictory evidence that is available, it is difficult to draw any generalizations about the behavior of Convair's few remaining black workers. Although no African Americans can be seen among the hundreds of strikers portrayed in the film, the fact that the financial secretary of the Glover Colored Aircraft Workers Union was attempting to draw strike benefits for his three dozen members would seem to indicate

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<sup>20</sup> "Injunction Hearing Disclose CVAC Provoke Violence—C. Z. Lindsey Disclosed Company Finagling," *Cow-Town Plane Facts*, April 5, 1946; "Legalistic Battle Took Spotlight in CVAC Strike," *Cow-Town Plane Facts*, April 12, 1946; "Who Had the Weapons?" *Cow-Town Plane Facts*, April 18, 1946; "Brief Testimony of Witnesses for CVAC beginning March 25, 1946," n/d, Folder 2, Box 5, District 776 Papers; and J. F. Foster to H. A. Schrader, April 13, 1946, Reel 346, President's Office Records, International Association of Machinists and Aerospace Workers Records, State Historical Society of Wisconsin, Madison (hereinafter cited as IAM Microfilm).

<sup>21</sup> "Who Stood to Gain from Bombings?," *Labor News*, May 10, 1946; "Bomb Blasts Alarm 'Loyal' Employees," *Union Banner*, May 10, 1946; and "Statement of J. F. Foster," March 4, 1946, Reel 346, President's Office Records, IAM Microfilm.

that at least this small group chose not to scab. Even if it was motivated more by self-preservation than class solidarity, this decision gains added significance when one considers that no fewer than 600 of the 2,600 original strikers eventually crossed the picket line themselves.<sup>22</sup> Unfortunately, despite the apparent absence of Glover union members among the strikebreakers, there is also evidence that at least some black workers decided to throw in their lot with Convair. In two separate scenes from the film, African Americans can clearly be seen sitting among white workers on fully-loaded buses whose destination signs read “Consolidated Plant.” Since the plant was in an outlying area of Fort Worth that lacked any other significant industry at the time, it is almost certain that these individuals—three men and two women—were indeed headed to work at Convair. Whether these five black workers were members of the Glover union is impossible to know, but even if they were it is likely that the same sense of self-interest that drove their counterparts not to scab was also behind the decision to cross the picket line. At a time when industrial jobs for African Americans were becoming scarce, it was indeed a big risk to antagonize a company that had already demonstrated its reluctance to hire black workers. Add to this the troubles that the Glover union’s members were having collecting their strike benefits and the decision to continue working, as lacking in solidarity as it may have been, would appear quite rational to most observers.<sup>23</sup>

The issue of strike benefits, of course, raises another important question: were the leaders of District 776 sincere in their expressions of support for black workers and the FEPC, or were they simply offering rhetorical window dressing to cover up the same old

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<sup>22</sup> District Lodge 776 DVD; and I. G. Weaver to William Green, May 7, 1946, Reel 52, AFL Microfilm.

<sup>23</sup> District Lodge 776 DVD.

exclusionary practices? Arguing that the leaders of the financially strapped district seemed to have decided that the fulfillment of their obligations to black auxiliary members was less important than the welfare of white strikers, Glover union financial secretary I. G. Weaver certainly seemed to think that it was the latter in his complaint to the AFL. There is in fact little doubt that the strike had stretched the infant union's meager resources to the limits. A little over a month after the walkout began, the IAM's international representatives at Convair reported to headquarters in Washington that District 776 was down to its last \$1,000. Left to its own resources, these representatives concluded that within two weeks the local union would be unable to pay its bills or maintain a much-needed soup kitchen for its members. For District 776 leaders to forego their obligations to loyal black workers in such hard times would indeed have been a shameful display of racial discrimination in any situation.<sup>24</sup>

Fortunately for the union's legacy, racism does not seem to have been the driving force behind District 776's financial negligence. Considering that only a handful of African American workers remained on Convair's payroll and that striking workers were traditionally paid rather stingy benefits, it is unlikely that the union would resort to such miserly tactics even in the midst of its first strike—the benefits to be derived from doing so were simply not great enough. Instead, the more likely explanation for Weaver's complaint is that he and his fellow black workers found themselves caught in the middle of a deteriorating diplomatic relationship between the IAM and the AFL. For several decades, IAM leadership had been engaged in a bitter dispute with the United

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<sup>24</sup> I. G. Weaver to William Green, May 7, 1946, Reel 52, AFL Microfilm; W. W. Finch to William Green, June 1, 1946, Reel 52, *ibid*; and C. Z. Lindsey and L. M. Fagan to Harvey Brown, March 19, 1946, Reel 108, President's Office Records, IAM Microfilm.

Brotherhood of Carpenters over the proper jurisdictions of their respective unions.

Though the AFL had briefly managed to quell this infighting through the negotiation of a jurisdictional agreement, the conflict reignited during the heady organizing days of World War II. Rebuffed in his demand for a reaffirmation of the agreed upon jurisdictions, IAM international president Harvey Brown suspended per capita payments to the AFL and withdrew his machinists from the Federation in November 1945.<sup>25</sup>

Normally, aside from the fact that they were constantly bombarded with news of the disaffiliation in the IAM's national journal, such high-level organizational disputes would have had little impact upon rank-and-file workers, but Convair's African American employees held a unique position within District 776. Prohibited from joining the IAM, these workers had instead signed up with the AFL-organized Glover union, known formally as Federal Labor Union No. 23394. Under the founding charter of this segregated auxiliary, its African American members were covered by District 776's contracts with Convair and paid per capita taxes to the district lodge for "services rendered." Because these same African Americans were not actually members of the IAM, however, the responsibility for payment of strike benefits fell instead upon the organization that had chartered their auxiliary, namely, the AFL. In other words, by withdrawing from the Federation and all of its state and local affiliates, the IAM essentially cut the lines of communication and left black workers without a functioning intermediary between themselves and AFL headquarters. In the confusion of the strike and the IAM's separation from the national labor movement, it seems that District 776

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<sup>25</sup> "What Price Affiliation?" *Machinists Monthly Journal* (December 1945), 363, 397; and Mark Perlman, *The Machinists: A New Study in American Trade Unionism* (Cambridge, MA: Harvard University Press, 1961), 100-105.

neglected to report the situation at Convair to state AFL leaders, who thus remained unaware of the three dozen African Americans awaiting their benefit payments. Though it may seem to be nothing more than an apologia for an inexcusable example of union racism, this explanation is supported by a letter written to AFL president William Green by head organizer W. W. Finch. Traveling to Fort Worth to investigate Weaver's complaint, Finch concluded that "through some oversight, the machinist [sic] failed to report as to the Negroes in this strike situation, either to the AFL headquarters or to my office in Austin." While it is possible that District 776 leaders intentionally failed to contact the AFL, this seems doubtful given their henceforth moderate views on racial issues and the emphasis that they placed on contractual obligations. Ironically, it was Finch himself who ultimately ended up being responsible for the greatest injustice done to the Glover union members when he argued that they should only be paid strike benefits for three of the fourteen weeks that they were out of work. In the end, the Glover union's thirty-nine remaining members collected a total of \$819, an amount that when divided equaled less than one week's pay at Convair.<sup>26</sup>

Despite this rather unfortunate episode and its own continuing financial troubles, District 776 did eventually manage to bring the strike to a successful conclusion after federal mediators intervened in May 1946. In the new contract that it negotiated, the union gained most of its demands including a 15 percent across-the-board wage increase, retention of the wartime maintenance of membership clause, dues check-off, and a more formalized grievance procedure. Returning District 776 members could also take heart

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<sup>26</sup> "Glover Colored Workers Union Charter," April 21, 1943, Folder 18, Box 6, District 776 Papers; W. W. Finch to William Green, May 21, 1946, Reel 52, AFL Records; W. W. Finch to William Green, June 1, 1946, *ibid*; and William Green to W. W. Finch, June 12, 1946, *ibid*.



knowing that work in the plant would soon pick up once Convair finalized its new contract with the military for production of the massive B-36 intercontinental bomber.<sup>27</sup> Unfortunately neither of these developments promised a great deal of change for the handful of African Americans who remained on the company's payroll. In the aftermath of the strike and the distractions that it created, District 776 leaders soon forgot their earlier demands for a permanent FEPC. While this turn of events had little impact on the IAM's willingness to fulfill its contractual obligations to the Glover union and its members, it did mean that black workers would have to fend for themselves in breaking down the plant's segregated job hierarchies. The end result of this lonely struggle was a resurgence of discriminatory employment practices and a return to the pre-FEPC normalcy of a Jim Crow workplace.

As had been their experience throughout most of World War II, Convair's postwar African American employees once again found that they were limited to an extremely narrow range of unskilled and generally labor-intensive jobs. Sadly, most of those hired during the immediate postwar period were destined to spend the next two decades of their lives working as janitors or in other menial positions throughout the plant. According to Claude Guyden, a general helper hired in 1948, the jobs available to him and other black workers were in a class by themselves. "He is shun [sic] to the side and by that I mean you are by yourself, you only have that classification. You are not permitted to grow...and then you don't have any rights," Guyden insisted. "I didn't have

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<sup>27</sup> "CVAC Yields on Clause for Union Security," *Cow-Town Plane Facts*, May 24, 1946; "Agreement between Consolidated-Vultee Aircraft Corp., Fort Worth Division, and IAM Aeronautical Industrial District Lodge 776," May 23, 1946, Folder 4, Box 34, Collection AR 56, Mullinax, Wells Labor Case Records, University of Texas at Arlington Special Collections (hereinafter cited as Mullinax-Wells Records); and "First B-36 Completed at Fort Worth Plant," *Dallas Morning News*, June 20, 1946.

any right for any overtime because they knew they had me in that position, and I think that's what they wanted to do was get me in that position, showing me that 'You don't buck us or you don't cross us any kind of way or I'll show you what I can do to you.'"

Not even the technical skills gained from work in other industries was enough to secure decent-paying jobs for black workers in the years after the war. When, for example, Coy Evans and Odell Dean were hired by Convair in 1950, both men had already spent several years working as mechanics—Evans had worked as repairman on both lumber mill machinery and small engines, while Dean's mechanical expertise was in the area of tobacco processing equipment. Despite this experience, both men were forced to take jobs as janitors. The most galling thing about this for fellow worker Monroe Merritt (who was himself hired as a janitor at the plant in 1951) was that white new hires were not held to the same standard. "I was denied a privilege because they was hiring them [whites] off the streets without any experience at all—not only in the oilers but in all classifications out there, and when I was hired they told me they didn't have anything open but sanitation," Merritt later claimed.<sup>28</sup>

Sadly, hiring discrimination was not the only type of unequal treatment that African Americans could expect to experience in their dealings with Convair. Although it was not unheard of for black workers to receive promotions during the postwar years, such events were quite rare and almost always confined to positions in the lower end of the plant's occupational hierarchy. Having worked in the same menial job for nearly seventeen years, Monroe Merritt was well-qualified to comment on the experience of

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<sup>28</sup> Deposition of Claude Guyden, October 11, 1978, Box 4, *EEOC vs. General Dynamics, et al.* (1974), 20; Deposition of Coy Evans, October 4, 1977, Box 5, *ibid*; and Deposition of Odell Dean, October 7, 1977, Box 4, *ibid*, 14.

Convair's African American employees: "[You] could ask for a position, ask for an upgrade, it may be four or five or ten years before you get one." This was certainly the case for Walter Carroll, a janitor hired in 1949. After pushing a broom throughout the plant for two long years, Carroll finally received a promotion to the position of molder in the jig and fixture department. In this rather unpleasant job, Carroll and his co-workers, all of whom were African Americans, were responsible for handling and pouring molten lead used to make molds for drop presses. As was so often the case for black workers, however, even this concession proved to be temporary. After spending three years in this grueling and dangerous job, the company phased out a number of the parts that Carroll was making and unceremoniously downgraded him and his fellow black molders back into sanitation, where he remained until 1969. Compared to both Merritt and Carroll, Alton Blanton's time at Convair must have seemed rather charmed. Brought in shortly after the plant opened, he managed to evade the attention of the FEPC and spent his first decade working as a janitor before being upgraded a single step to laborer in 1952. Over the next six years, Blanton beat the curve set for African Americans, securing two more promotions to positions as a truck driver and hazardous chemicals handler. Even with this impressive record, however, Blanton's movement of six labor grades up the company's fifteen-step occupational ladder still paled in comparison to the experience of most white workers, many of whom could expect to advance all the way up to the plant's highest paying positions within similar periods of time.<sup>29</sup>

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<sup>29</sup> Deposition of Monroe Merritt, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 26; Deposition of Walter C. Carroll, Box 6, *ibid*, 7-12; and Deposition of Alton Blanton, November 30, 1977, Box 5, *ibid*, 10-13.

In addition to the job discrimination they faced at Convair, African Americans also had to deal with the indignity of workplace segregation. Even in one of the world's largest and most modern aircraft factories, separate was far from equal when it came to sanitary facilities. Standing nearly a mile long and employing upwards of 30,000 people, Convair's main production building contained only a very small number of widely spaced and poorly equipped restrooms for black workers. "When I started," Monroe Merritt testified, "we could be cleaning a restroom but we couldn't use it...They had one little pigeonhole in the back and you go back there. If someone was on it, then you had to walk seven or eight or ten columns to the next one, and if someone was on it you had to go farther." In support of Merritt's statement, Otto Haliburton maintained that on more than one occasion he had had to walk nearly a mile to use the restroom when the colored facilities closest to his work area were occupied. Segregated water fountains, lunch carts, and other necessities served as further reminders to African Americans of their inferior status within the plant.<sup>30</sup>

These same patterns of physical segregation were also carried over into local union operations as well. Despite the willingness of its leaders to bargain on behalf of African Americans and represent them on the shopfloor, District 776 excluded the members of the Glover union from its meetings and social functions. "We were supposed to have a union or something representing us, but it wasn't a union because...the Negroes met down here somewhere in the little local or something," explained Alton Blanton. "I didn't think of it, but we didn't meet with the union. We

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<sup>30</sup> Deposition of Monroe Merritt, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 15; and Deposition of Otto Wilven Haliburton, October 11, 1977, Box 5, *ibid.*

[were]...supposed to have a little sub-deal there. I don't know what it was, but it wasn't very much."<sup>31</sup> By excluding black workers from their meetings, the white officers and members of District 776 clearly demonstrated the limits that defined their brand of racially pragmatic unionism. Even for a local union as committed to economic fairness as District 776 was, the prospect of associating with African Americans on socially equal terms was still much too radical in the late 1940s. Unfortunately, because Blanton's dissatisfied assessment represents one of the only references to the Glover union in the years following the strike, there is no way to address more specific questions about the how the auxiliary conducted its segregated affairs or what its institutional connection with the larger white union at Convair was like. However, it is still possible to catch a few glimpses of the relationship between individual black workers and local IAM leaders based on scattered references in the records of District 776.

One of the most important and time consuming functions assumed by local union officials in the years after the 1946 strike was the adjustment of worker complaints filed under the grievance procedure established in its contracts with Convair. Although the strike had indeed served to iron out some of the differences between the aircraft manufacturer and its employees, plant management continued to resent the fact that it was forced to share authority with the union and pushed back against rights-conscious workers whenever it could. In a letter written to Earl Melton, vice president in charge of the IAM's southern territory, shortly after the end of the strike, district president J. F. Foster maintained that the company was still up to its old tricks and was laying off workers out of line with their seniority. "We are doing everything in our power to try to

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<sup>31</sup> Deposition of Alton Blanton, November 30, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 68.

follow the contract to the letter and live up to our part of the agreement,” Foster explained, “but we are going to take up all [union]discrimination cases and file grievances every time the company even so much as hints at stepping out of line.” Shortly after this, business agent M. R. Sims maintained that not only was Convair engaging in discriminatory layoffs, but it was also refusing to rehire skilled workers it had let go earlier in favor of unskilled workers who had never been members of the union. The situation became so bad that in July 1946 the financially strapped union initiated a series of expensive arbitration proceedings in order to secure the reemployment of nearly four dozen senior workers.<sup>32</sup> In addition to layoff-related grievances, which always advanced automatically to the top of the grievance committee’s agenda, the complaints received by IAM committeemen and business agents ran the gamut from attempts by management to ignore seniority or pay wages below contractually stipulated levels to unfair disciplinary action against union members. Because every union staff member’s political fortunes depended on how well he was able to adjust rank-and-file grievances, this function was taken quite seriously. Even as the time and money required for adjusting grievances crept steadily upwards—a trend attributable in large part to management’s attempts to clog the system and discredit the union—District 776 remained vigilant and was apparently quite successful in securing favorable settlements for its members. During the plant’s Korean War buildup, for

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<sup>32</sup> J. F. Foster to Earl Melton, June 1, 1946, Reel 346, International President’s Records, IAM Microfilm; “Consair Hires Unskilled, Bans Laid Off Workers,” *The Machinist*, October 24, 1946; and C. Z. Lindsey to J. F. Foster, July 30, 1946, Folder 18, Box 5, District 776 Papers.

example, district president Harold Levy maintained that close to 85 percent of the 1,500 grievances filed during 1950 were settled in favor of the employees presenting them.<sup>33</sup>

Based on this level of success, it is clear that District 776 took its responsibility for adjusting grievances quite seriously. What is not obvious, however, is the union's response to black workers who filed grievances. Given the extremely small number of African Americans who were employed at Convair during the postwar period and their unique relationship with District 776 under the Glover auxiliary's charter, one might expect that the few complaints they registered would be ignored or swept under the rug. In later years, a number of Convair's long-time black employees did indeed complain that they had found it difficult at times to file grievances with the white-majority union. Coy Evans insisted that the white committeemen who oversaw the sanitation department oftentimes refused to meet directly with African Americans when problems arose, choosing instead to rely upon accounts given by supervisors. "I had several talks with the committeemen and each time I would have to report to the crib after they had their discussion [with management] and not before," Evans testified. "He didn't come directly to me." Fellow janitor Odell Dean had similar problems when he tried to approach his union committeeman after being passed over for an upgrade. "Put it like this that those

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<sup>33</sup> O. D. Wright Interview, October 22, 2008 (tape in the author's possession) ; "Union Squawk #3," April 3, 1947, Folder 3, Box 6, District 776 Papers; "Union Squawks," April 24, 1947, Folder 3, Box 6, *ibid*; "Report of International Association of Machinists Aeronautical Industrial District Lodge 776 on Grievance Procedures at Convair-Fort Worth Division," n/d, Folder 17, Box 14, *ibid*; and Harold Levy to John Byrnes, June 15, 1951, Folder 3, Box 12, *ibid*.

grievances never reached the union because I could never get them filed through my committeeman,” Dean recalled bitterly.<sup>34</sup>

In spite of the difficulties that Evans and Dean faced, there were also a number of other cases in which black workers filed and won grievances against Convair with the assistance of District 776. Having served as both a committeeman and business representative during the 1950s, O. D. Wright attempted to explain away the experiences outlined above by insisting that most white union officials had no problem filing grievances for African Americans so long as their complaints could be supported by the evidence.<sup>35</sup> Such was the case when Monroe Merritt filed a grievance alleging that he had been discriminated against with regard to overtime. After accepting the complaint without any apparent trouble, Merritt’s white committeeman and the union grievance committee took the matter to the company and won him the overtime he felt he deserved. District 776 went even further in a case filed by Alton Blanton in the early 1950s. Officially listed as a laborer on the company records, Blanton had complained that Convair was working him out of classification in jobs that would normally be performed by someone in transportation. Because such abuses threatened to set precedents whereby the company could justify extracting more work from employees without paying them the contractually determined wage rate, these cases were taken very seriously by union officials. Thus, when Blanton filed a formal grievance maintaining that he should be upgraded to reflect the job he was actually doing, the IAM’s grievance committee took up his complaint and fought it all the way through a hearing before an outside arbiter.

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<sup>34</sup> Deposition of Coy Evans, October 4, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 36; and Deposition of Odell Dean, October 7, 1977, Box 4, *ibid*

<sup>35</sup> O. D. Wright Interview, October 22, 2008 (tape in the author’s possession).



Although Convair ultimately decided to upgrade Blanton before the arbitration proceedings delivered a decision, the entire episode demonstrated just how much emphasis District 776 placed on economic justice. For the union's all-white grievance committee to go to such expensive lengths to adjust the case of an individual black worker says a great deal about where its priorities lay.<sup>36</sup>

Surprisingly, despite its leaders' wariness about being tarred with the brush of social equality, District 776's emphasis on fairness even extended into cases where African Americans alleged that they were the targets of racial discrimination. In February 1947 a black employee named B. E. A. Wallace filed a grievance with District 776 on the grounds that an official reprimand he received from his supervisor for loafing had been unfair. When the case came up before the in-plant grievance committee, Convair's labor relations representative attempted to appeal to the prejudices of the union's white leaders by insisting that Wallace, like all other African Americans, was naturally lazy and would not work unless he was subject to stringent discipline. Upon further investigation, however, the union learned that Wallace had not been loafing at all but was instead going to the tool crib to retrieve a pair of gloves he had forgotten when his foreman issued the reprimand. With this information in hand, District 776 representatives demanded that Convair immediately remove the episode from Wallace's record. When the company refused, the union said it would be willing to close the case if management would stipulate in writing that it had no intention of discriminating against Wallace nor that it was trying to build a case for his termination. Although it is not entirely clear how this grievance was finally adjusted, by taking up the case District 776's

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<sup>36</sup> Deposition of Monroe Merritt, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 42; and Deposition of Alton Blanton, November 30, 1977, Box 5, *ibid.*

white leaders demonstrated a willingness to speak out against discrimination when such treatment threatened to undermine the rule of law they sought on the shopfloor. While many on the union grievance committee no doubt personally agreed with the company's racist observations regarding African American work habits, their action on Wallace's behalf shows that they were able to put these feelings aside in order to maintain improved working conditions for all employees in the plant.<sup>37</sup>

Imperative as it was for District 776 to maintain a positive record with regard to employee grievances, the negotiation of strong collective bargaining agreements was just as important for securing and retaining the loyalty of members. For black and white employees alike, the contracts the union negotiated touched virtually every aspect of working life in the plant from wages, working hours, and holidays, to job upgrades, layoffs, and recalls. Although it would be a number of years before anything resembling an equal opportunity clause was inserted into the union's agreements with Convair, the contractual course that District 776 set out upon during the immediate postwar years would have huge implications for African Americans in the future. When examining the impact of collective bargaining agreements on black industrial employment, the most important sections are those governing the way that seniority was to be computed. The principle behind seniority is actually quite simple: by providing an objective standard (length of service) upon which management must base decisions concerning upgrades, promotions, layoffs, and recalls, seniority is designed to prevent arbitrary discrimination against employees. While the phrase "last hired, first fired" does not fully encompass all

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<sup>37</sup> "Minutes of Plant Grievance Committee," February 6, 1947, Folder 3, Box 8, District 776 Papers; "Notes of J. F. Foster, Jr., Plant Grievance Committee Minutes," February 13, 1947, *ibid*; and "Minutes of Plant Grievance Committee," February 20, 1947, *ibid*.

the areas of working life that seniority touches upon, it is perhaps the clearest example of seniority in action. Given its potential impact upon a worker's economic wellbeing, in most industrial settings seniority was and continues to be regarded as a form of personal property that unions are responsible for protecting.<sup>38</sup>

Of course, just like any other right, union-negotiated seniority has also been subject to abuse. Throughout many areas of the South and the rest of the nation, white workers often upheld their property rights in seniority at the expense of African Americans. While this discrimination could take a number of forms, the most common was the use of segregated seniority lists and departmental seniority. In industries such as textile manufacturing and papermaking where African Americans made up large percentages of the workforce, unions often sought to protect the better paying jobs held by white members through the negotiation of seniority based upon one's length of service in a particular department or occupational grouping. Because seniority rights accumulated in this way were rarely transferable from one department to another, black workers discovered that these types of union contracts effectively codified workplace segregation by preventing them from advancing beyond the unskilled jobs into which they were hired. As the long-time labor secretary of the National Association for the Advancement of Colored People (NAACP), Herbert Hill had a great deal of experience trying to overturn such forms of discriminatory seniority and put the matter in simple terms. "A seniority system launched under such conditions," Hill argued, "inevitably

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<sup>38</sup> On the theory behind seniority, see "Seniority—Fair Play on the Job," *American Federationist* (September 1961), 24-28; and William B. Gould, *Black Workers in White Unions: Job Discrimination in the United States* (Ithaca, NY: Cornell University Press, 1977), 68-98.

becomes the institutionalized mechanism whereby whites as a group are granted racial privilege.”<sup>39</sup>

Fortunately for the small number of African American aircraft workers in Fort Worth, these discriminatory union practices were not the norm within IAM District 776. While white workers at Convair were indeed the beneficiaries of the South’s prevailing ideology of Jim Crow, the seniority system that their union representatives set up in the postwar years assumed a different form from the discriminatory arrangements found elsewhere in the region. As evidenced by the economic boom and bust that occurred during the years of World War II, aircraft workers in Fort Worth realized that their contract-dependent industry was more prone than most to frequent mass layoffs. Hoping to soften the blow from the periodic downturns that their members would inevitably face, District 776 leaders demanded seniority provisions that would be broad enough to provide a local cushion for laid off workers while simultaneously preventing the usurpation of jobs by others outside the division. The best way to achieve this was through the negotiation of plant-wide seniority or, failing that, provisions that would

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<sup>39</sup> Herbert Hill, “Black Workers, Organized Labor, and Title VII of the 1964 Civil Rights Act: Legislative History and Litigation Record,” in *Race in America: The Struggle for Equality*, eds. Herbert Hill and James E. Jones, Jr. (Madison: University of Wisconsin Press, 1993), 308. On the use of departmental seniority as a discriminatory tactic in the southern textile and papermaking industries, see Timothy Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill: University of North Carolina Press, 1999), 60-61, 151-53, 244-46; and Minchin, *The Color of Work*, 8, 146-47, 163-80. For similar examples in the steel and auto industries, see Bruce Nelson, *Divided We Stand: American Workers and the Struggle for Black Equality* (Princeton, NJ: Princeton University Press, 2001), 206-09, 235-42; Judith Stein, *Running Steel, Running America: Race, Economic Policy and the Decline of Liberalism* (Chapel Hill: University of North Carolina Press, 1998), 44-58; Robert Norrell, “Caste in Steel: Jim Crow Careers in Birmingham, Alabama,” *Journal of American History* 73, No. 3 (December 1986), 669-694; and David M. Lewis-Colman, *Race against Liberalism: Black Workers and the UAW in Detroit* (Urbana: University of Illinois Press, 2008), 18-19, 58-60.

allow seniority to be easily transferred from one department to another without penalty. Not surprisingly, the company's views on seniority often differed tremendously from those of the union. In October 1945, for example, the two sides reached an impasse when Convair refused to accept a union proposal stipulating that seniority should follow an employee through all job classifications that he held in the plant.<sup>40</sup> District 776's concern for seniority was also reflected in its disagreement with Convair over whether or not the company's Fort Worth employees should have their seniority merged with their corporate counterparts at the main plant in San Diego. Built in 1932, the California facility included many workers who could easily use their own seniority to displace less senior employees at the newer Texas plant. "If this [merger] should happen," Foster explained, "our Fort Worth people could be pushed out of their jobs, but we intend to prevent this by not even considering negotiating a contract with such a provision in it." Foster's staunch resistance reflected the intense feelings of the membership on this issue. Rank-and-file opposition to merger was so great, in fact, that when Convair included the demand among its final negotiating proposals in January 1946, union leaders had few options available to them other than a walkout.<sup>41</sup>

Though the events of 1946 would be the last time that the collective membership of District 776 asserted such demands through strike action, union negotiators continued to fight hard for strengthened seniority provisions during the years that followed. In one of its most radical proposals, for example, the striking union demanded that employees

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<sup>40</sup> "Stipulation," October 10, 1945, Folder 11, Box 4, District 776 Papers.

<sup>41</sup> F. A. Lauerman to C. Z. Lindsey, January 25, 1946, Reel 346, International President's Records, IAM Microfilm; C. Z. Lindsey to H. W. Brown, February 6, 1946, *ibid*; C. Z. Lindsey to J. F. Foster, February 27, 1946, *ibid*; and J. F. Foster to Harvey Brown, October 5, 1948, Folder 13, Box 9, District 776 Papers.

should continue to accumulate seniority even when they were on layoff or absent from work. Not surprisingly, Convair managed to remove this language from the 1946 contract, but not before the union secured a guarantee that only Fort Worth employees could accumulate seniority in the plant and a clause allowing employees to retain seniority in their original department for up to thirty-five days. While this provision left many questions unanswered—what happened to an employee’s accumulated seniority after the grace period expired?—it was important enough that the IAM’s nationally circulated paper reported the news on its front page.<sup>42</sup> The local union’s concern for seniority was carried even further the following year when District 776 negotiators demanded that seniority be calculated on a plant-wide basis for all workers employed at the Fort Worth division. The union argued that by allowing employees to move from one department to another with their seniority rights fully intact, the company would be prohibited from engaging in arbitrary layoffs. In support of this proposal, local IAM leaders pointed to Convair’s frequent abuse of the previously agreed upon system of non-transferable departmental seniority, particularly the practice of shutting down entire departments and dismissing the workers regardless of seniority. District president Foster summed up the union’s opposition to the company’s form of departmental seniority thusly:

Our people are going to fight this pretty hard because they are being constantly transferred from one department to another and could be discriminated against. For instance, a group could be placed in some department then this department

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<sup>42</sup> “Union Proposal,” March 21, 1946, Folder 2, Box 5, District 776 Papers; “Agreement between Consolidated Vultee Aircraft Corporation, Fort Worth Division, and Aeronautical Industrial District Lodge 776, Effective May 23, 1946,” Folder 4, Box 34, Mullinax-Wells Records; “12 ½ to 22 ½ Cent Raises Won at Consolidated,” *The Machinist*, May 30, 1946; and “CVAC Yields on Clause for Union Security,” *Labor News*, May 24, 1946.

close [sic] up as was done in Dept. 80 and Dept. 24 this year. We lost a number of good members who are being penalized for [not having] thirty-five days. If we did not have the thirty-five day clause in the agreement, they would be out for good.<sup>43</sup>

“It is our position,” argued District 776 negotiators backing Foster, “that we must have straight plant-wide seniority by occupation or the same seniority we have at present whereby an employee may bump an employee of lesser seniority in any department within the same occupational grade.”<sup>44</sup>

As it turned out, the leaders of District 776 were much better at demanding plant-wide seniority than they were at actually securing it. Throughout its negotiations with the union, Convair argued that such an arrangement would seriously impede its managers’ ability to exercise authority over layoffs. IAM officials countered by asserting that most senior workers had been all through the plant anyway and were therefore capable of performing any job assigned to them, but it was to no avail. Although the union held onto the provision it had gained earlier allowing employees to temporarily retain their seniority following a transfer, the contract signed in 1947 made clear that seniority would be calculated on a strictly departmental basis.<sup>45</sup> The years following were equally frustrating. Despite adding provisions to future contracts that pointed in the direction of plant-wide seniority—for example, extending occupational groups (and thus seniority)

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<sup>43</sup> J. F. Foster to Earl Melton, May 7, 1947, Folder 13, Box 7, District 776 Papers.

<sup>44</sup> Memo to General Vice President Earl Melton, August 18, 1947, Folder 14, Box 7, District 776 Papers.

<sup>45</sup> “Minutes of Negotiating Committee,” June 27, 1947, Folder 8, Box 6, District 776 Papers; “Minutes of Negotiating Committee,” July 1, 1947, Folder 8, Box 6, *ibid*; “Negotiating Meeting of February 28, 1952,” February 29, 1952, Folder 18, Box 13, *ibid*; and “Agreement between Consolidated-Vultee Aircraft Corp., Fort Worth Division, and IAM Aeronautical Industrial District Lodge 776, Effective October 13, 1947,” Folder 4, Box 34, Mullinax-Wells Records.

across departmental lines for purposes of layoff and recall—local IAM officials were never able to secure this important demand in the immediate postwar years.<sup>46</sup>

These negotiating failures aside, the fact that union leaders at Convair made demands for such an expansive seniority system was nevertheless significant in distinguishing them from their counterparts elsewhere in the South. Whereas many southern unions negotiated their contracts around racial ideology in ways that limited the rights of African Americans, the small number of black workers at Convair coupled with the general instability of employment in the aircraft industry allowed District 776 officials to base their own contracts on the economic principal of impartial seniority protection for all employees. Even though there was not an inkling of special concern for African Americans behind these contractual demands, the fight for plant-wide seniority rights left open the possibility that black workers in Convair's least skilled departments might one day be able to request transfers into better-paying jobs with their accumulated seniority intact. Years later when equal employment once again became part of the national agenda, African Americans at Convair could count themselves among the lucky few against whom seniority had not been used as a tool of discrimination.

Important as it was, the refusal of Fort Worth's largest aircraft workers' union to negotiate discriminatory seniority clauses was far from being a positive endorsement of racial equality. More than perhaps anything else, the continued exclusion of Convair's black employees from membership in District 776 served as a reminder that civil rights were still not a top priority in the minds of the union's local officers. Yet change was on

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<sup>46</sup> "Agreement between Convair and International Association of Machinists, Effective April 26, 1954," Folder 9, Box 1, Collection AR 122, International Association of Machinists and Aerospace Workers District Lodge No. 776 Papers, University of Texas at Arlington Special Collections (hereinafter cited as O. D. Wright Papers).



the horizon. As historians have recently begun to recognize, the late 1940s were a pivotal time in the history of civil rights. Far from being a prelude to the subsequent battles over segregated classrooms and lunch counters, the years immediately after World War II were ones that saw working-class African Americans fighting hard to translate lessons learned in the labor movement into broader demands for equality.<sup>47</sup> No matter how much the IAM's leadership may have wanted to avoid addressing the issue of racial discrimination, the steadily rising tide of civil rights protest made such problems difficult to ignore. Though individual responses varied, on the whole officials at all levels of the IAM faced the reality of this changing social landscape with both resignation and a guarded acceptance of the need for reform. Thus, by the time the Supreme Court marked the beginning of the so-called "classic" phase of the civil rights movement with its 1954 *Brown vs. Board of Education* ruling, IAM leaders and their members already had several years of experience dealing with racial questions. More than anything else, it was this willingness to take seriously the early debates on civil rights that earned the southern-born IAM a place among those who were working to undermine racial inequality in this important period.

As had been the case in the months immediately after World War II, the growing importance of civil rights questions to the Fort Worth labor movement could be seen in many of the articles that appeared on the pages of its local press. Although the strike-

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<sup>47</sup> See, for example, Jacquelyn Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History*, 91 (March 2005), 1233-63; and Charles W. Eagles, "Toward New Histories of the Civil Rights Era," *Journal of Southern History*, 66 (November 2000), 815-48. Also see Korstad and Lichtenstein, "Opportunities Found and Lost"; Korstad, *Civil Rights Unionism*; Honey, *Southern Labor and Black Civil Rights*; Halpern, *Down on the Killing Floor*; Botson, *Labor, Civil Rights, and the Hughes Tool Company*; and Gilmore, *Defying Dixie*.

burdened officers of District 776 sold the *Cow-Town Plane Facts* to local printer Willard Barr in May 1946, the newspaper's more widely read successor *Labor News* continued to espouse the same surprisingly moderate racial positions. As editor of the reorganized paper, the liberal Barr took the position that the paper would print all news of interest to organized labor regardless of the source. Barr also maintained close relations with the IAM, even going so far as to publish a special machinist's edition for distribution at Convair.<sup>48</sup> Like its predecessor, *Labor News* did not focus primarily on civil rights, but the occasional comments it did make were quite positive. When, for example, the Texas State Federation of Labor decided in 1947 that it was time to choose a state vice president from among the ranks of black union members, *Labor News* was wholeheartedly in favor. "No thoughtful man, if he throws aside the personal prejudices which constantly beset us all, can fail to admit that too often in the past labor in Texas has omitted any bother about the economic problems of the Negroes," opined Barr. "The result has been the same as in the case of wage discriminations against women workers: the wage levels of all workers have been held down by the low-rate competition."<sup>49</sup> The paper also did not mince words in denouncing politicians it considered guilty of race-baiting. During the revolt of the so-called "Dixiecrats" in 1948, *Labor News* reminded its readers that they only stood poised to hurt themselves if they bought into the rhetoric of anti-civil rights lawmakers and opposed the reelection of President Harry Truman. "[The] fact is that the average southerner, whatever his prejudices, doesn't really want to continue the oppression of Negroes," the paper cautioned early in the year. "Only when his prejudices are fanned by

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<sup>48</sup> Interview of Willard Barr by Jim Reed, April 1, 1974, OH 45, transcript, University of Texas at Arlington Special Collections.

<sup>49</sup> "Two Significant Changes," *Labor News*, July 17, 1947.

Ku Klux Klans, or Gerald L. K. Smiths, or southern governors, does his sense of justice desert him, his pride in Christian principles and constitutional rights become dimmed.” When Texas governor Beauford Jester professed his support for the doctrine of white supremacy at a meeting of the Southern Governor’s Conference in February 1948, Barr and the paper went so far as to call the announcement “the most dangerous example of irresponsibility since another racial supremacy movement ended in disaster some three years ago in Berlin.”<sup>50</sup>

Whether or not these views were accepted by the thousands of Convair employees who received their special edition of *Labor News* each week is difficult to say. While it’s likely that Barr’s partisanship was scorned by readers who believed that organized labor should remain free of politics, any such protests have since been lost to history. Political mores aside, however, the fact that Barr and his collaborators within District 776 felt comfortable printing any type of pro-civil rights editorial suggests at least a certain level of openness among the paper’s rank-and-file subscribers. As had been the case when the paper was controlled by the IAM, the trick was to highlight the economic benefits that working-class whites stood to gain from progressive social programs while simultaneously convincing them that the inclusion of civil rights was well worth the price. And one of the best ways to do this was to alert readers to the underlying anti-labor motives of race-baiting politicians. “Whether President Truman’s legislative program on behalf of racial minorities is good or bad is not the question,” the paper opined. “The question really at stake is whether southern Christians are going to let their political leaders present the racial issues of the day in un-Christian terms without raising

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<sup>50</sup> “Disservice to Texas,” *Labor News*, February 12, 1948; “It Burns Us Up...,” *Labor News*, March 18, 1948; and “Right on Schedule!,” *Labor News*, March 25, 1948.

a protest. We, for one, are not.”<sup>51</sup> Even if this strategy lacked the call to mass action that more radical civil rights advocates would have preferred, it was still a step beyond what most mainstream southern papers of the time were willing to concede.

Surprisingly, despite the paper’s obvious sympathy toward the cause of equal rights, neither the regular edition of *Labor News* nor its more focused machinist’s edition made any comment on what was to become the most significant civil rights advance for the postwar IAM. Conceived at the union’s founding in the railroad shops of Atlanta in 1888, the IAM’s policy of prohibiting African American membership had originally been affected through a constitutional clause limiting admission to “none but white, free born citizens.” This prohibition remained in place until 1895 when, as a condition of its affiliation with the AFL, the union agreed to eliminate the whites-only provision from its constitution and instead incorporate similar language into a secret initiation ritual outside of public view.<sup>52</sup> Throughout the early years of the twentieth century, the exclusionary ritual faced challenges from a number of the IAM’s top leaders, but these efforts always ran aground upon the fear of what would happen to the union’s southern membership if the prohibition was removed. Fortunately for African Americans, World War II brought about a number of changes within the IAM. The most significant of these was the development of a more relaxed attitude toward membership, a move made necessary due largely to the union’s efforts to organize thousands of new aircraft workers. Although international president Harvey Brown insisted throughout the war that the membership prohibition was not intended to interfere with the employment opportunities available to black workers, the investigations of the FEPC and the protests of various IAM lodges

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<sup>51</sup> “Disservice to Texas,” *Labor News*, February 12, 1948.

<sup>52</sup> Perlman, *The Machinists*, 16-17.

made it increasingly apparent to both members and non-members that such arguments were merely a dodge.<sup>53</sup>

The first major postwar battle over the IAM's membership policy took place in late 1945 when members of the ritual committee recommended that the quadrennial national convention vote to drop the whites-only clause from the union's initiation rites. Although the motion failed to carry on the floor of the convention, it lost by the surprisingly narrow margin of 215 votes out of over 4,000 cast. Ever mindful of their union's public image, members choose to debate this issue in a closed and thus unrecorded session, but the closeness of the vote indicates that sentiment was indeed shifting toward a more open and inclusive union.<sup>54</sup> The turning point came in December 1947 when the IAM executive council moved on its own initiative to eliminate the whites-only clause. Unlike earlier attempts, this final decision was not based on a principled desire for democratic unionism or racial justice but rather a pragmatic fear for the IAM's institutional strength. In an official circular sent to the membership, the Grand Lodge explained that passage of the Taft-Hartley Act earlier in the year had made reform of the ritual necessary due to the stringent regulations that the new law placed on union representation. "Attempts are being made to deprive our union of the right to represent our membership in many instances because of what may be called alleged discrimination against certain people," the circular read. "Therefore, the Executive Council directed the General Secretary-Treasurer to prepare a ritual for use during initiation ceremonies in our local lodges until the delegates at the September 1948 Grand Lodge convention adopt a ritual more in keeping with our present day needs." When the issue was brought before

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<sup>53</sup> Perlman, *The Machinists*, 277-79.

<sup>54</sup> Perlman, *The Machinists*, 279.

the membership the following year, General Vice President Earl Melton explained that the ritual had recently been used as evidence against the IAM in two separate decertification proceedings being heard before the NLRB. In both cases, opponents argued that the discriminatory initiation rite made a mockery of the union's legal obligation under Taft-Hartley to represent all employees fairly and therefore justified it being removed as bargaining agent. Fearful that word of these developments would spread among union rivals eager to raid the membership of the still unaffiliated IAM, the executive council insisted that it had no choice but to drop the offending whites-only clause. As one chronicler of the union's history succinctly concluded, "The executive council acted because the social forces requiring its action had grown to a point where they could no longer be ignored."<sup>55</sup>

If the executive council's decision was not exactly a ringing endorsement of the moral imperative of integrating the IAM, it had its intended effect all the same. Despite a number of protests from scattered lodges throughout the nation, the amended, non-discriminatory ritual was eventually ratified by delegates to the 1948 national convention. Unfortunately, because the sensitive debate was once again held behind closed doors, it is difficult to say what, if any, position the delegates from District 776 took on these actions. What is clear, however, is that the southern influence on the convention's ritual committee, whether by design or coincidence, was extremely weak: out of seventeen committee members, only two were from the South. Regardless of the position its representatives took, District 776's relationship with African Americans at Convair was not significantly impacted by the amendment. In an effort to appease the ritual's more

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<sup>55</sup> "Official Circular No. 487," December 11, 1947, Reel 271, President's Office Records, IAM Microfilm; and Perlman, *The Machinists*, 280-82.

strident supporters, the Grand Lodge decided to permit the organization of its new African American members into segregated auxiliaries. Since District 776 already administered bargaining rights for the Glover Colored Aircraft Workers Union, the only thing left for the Fort Worth officers to do was to formally induct the new black members into the IAM, convert their federal labor union into a separate auxiliary lodge, and continue with business as usual.<sup>56</sup>

Tempting as it may be to downplay these changes, the elimination of the whites-only ritual was an important milestone that indicated a deeper if still somewhat cautious trend toward racial moderation within the IAM. This new approach toward African Americans and the emerging civil rights movement was most evident among the union's top leadership, and no one personified it better than international president A. J. Hayes. Inducted into office following the retirement of Harvey Brown in 1949, Hayes was a supporter of civil rights reform who expected his staff members to stand fully behind the IAM's policies regardless of their personal views. Furthermore, Hayes's reputation for reasonableness was much better suited to periods of rapid change than the pugnacious and combative demeanor of his predecessor. Besides initiating the negotiations that eventually led the IAM back into the AFL, Hayes also conferred regularly with Walter Reuther, president of the United Automobile Workers (UAW), and was influenced by this famous labor leader's commitment to forging a more racially progressive labor movement. Like Reuther, Hayes's racial moderation was based in large part upon his commitment to the IAM's now settled policy of industrial unionism and its underlying

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<sup>56</sup> "Seventeen Committees Tackle IAM Problems at 22nd Convention," *The Machinist*, September 23, 1948; and Perlman, *The Machinists*, 280. On the problems and possibilities that segregated locals posed for African American union members, see Minchin, *The Color of Work*, 73-98.

goal of transforming the union into one of the nation's largest labor organizations. This dedication to fair, democratic industrial unionism for all workers was so well known, in fact, that it eventually earned Hayes a position as head of the reunited AFL-CIO's Ethical Practices Committee in the late 1950s.<sup>57</sup>

The new racial path that Hayes was attempting to chart for the IAM was best evidenced by the relationships he sought to forge between the union and a number of prominent national civil rights organizations. In a move that would have been unheard of during the Brown years, Hayes accepted an invitation to address the annual convention of the National Urban League (NUL) in September 1953. No doubt sensing an opportunity to improve the IAM's organizing fortunes among black workers, Hayes used his speech to point out the strategic partnership between organized labor and civil rights organizations. From the beginning of his presentation, Hayes offered a forthright assessment of the IAM's past, insisting that for the past two decades the union's dishonorable membership policy had cost it thousands of members and provided "dual unions and subversive groups" with a means of undermining it. Since dropping the whites-only clause, however, Hayes asserted that African Americans had made a great deal of progress within the IAM, offering in support the fact that black delegates had attended and participated as full members in the union's 1952 convention. "As a labor organization," Hayes declared, "we realize that we have a broader obligation to the society in which we function, to assist in eliminating denials of freedom and justice to

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<sup>57</sup> Steve Williams Interview, October 24, 2008 (tape in the author's possession); Perlman, *The Machinists*, 129-32; and Mark Perlman, *Democracy in the International Association of Machinists* (New York: John Wiley & Sons, 1962), 24-25. On the relationship between the IAM and UAW presidents and the innovative no-raiding agreements that this gave rise to, see Perlman, *The Machinists*, 132-33.



everyone. We cannot in good faith demand freedom and justice for ourselves and stand idly by while those rights are denied to others...It is our obligation, it seems to me, to cooperate with all other worthy organizations in gaining for every man his full rights in our free society.”<sup>58</sup>

Besides serving as an organizing tool, Hayes’s speech before the NUL also provided him with the opportunity to offer his own thoughts on how victory in the struggle for civil rights might be achieved and what role unions would play in it. Always cautious about protecting the reputation of the IAM and the labor movement, Hayes reminded the assembled audience that civil rights was a community problem and organized labor could not be expected to solve it alone. He also warned against moving too fast since radical changes might serve to erode the goodwill that civil rights organizations were attempting to foster. “I feel sure,” Hayes added, “that you will continue to be as concerned with your people’s reactions at each step of their progress as you will be insistent upon their gaining the full freedom and justice to which they are entitled.” Like Reuther and most other labor liberals of his day, Hayes believed that the only lasting solution to discrimination against African Americans was through the maintenance of high levels of employment, expanded educational opportunities, and the adoption of broader social security protections. Since each of these goals was also important to the larger labor movement as well, Hayes maintained that unions and civil rights organizations were thus natural allies. “Working together, I believe we can protect

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<sup>58</sup> “Address by A. J. Hayes...before the Annual Conference, National Urban League, Philadelphia, Pennsylvania, September 9, 1953,” Folder “A. J. Hayes,” Box 82, Collection No. L1992-14, International Association of Machinists and Aerospace Workers Records, Southern Labor Archives, Georgia State University, Atlanta (hereinafter cited at IAMAW Records).

and further the economic circumstances which permit people to dwell together in understanding and harmony,” Hayes concluded. “If we do so, I think the economic future of the Negroes in this country will improve markedly.”<sup>59</sup>

In later years when the civil rights movement was more advanced and its leading activists were becoming more disenchanted with the slow pace of reform, the incrementalism expressed in Hayes’s NUL speech would have likely been greeted with polite derision if not outright mockery. Considered within the context of the early 1950s, however, the IAM president’s advocacy of such an approach was a reflection of the cautious openness to civil rights that defined the entire labor movement. Like most labor leaders at the time, Hayes considered the morality of racial equality as subordinate to the maintenance of the IAM’s institutional and organizational integrity. Racial equality was a laudable goal to shoot for, but it required union leaders to take slow, deliberate steps so as not to unduly antagonize their white subordinates. This was especially true in the case of the IAM’s southern officers. Although some no doubt supported Hayes’s stance on civil rights, most insisted that they could not afford to get in front of the issue due to the simple fact that it would have cost them the political support of members. Like Reuther and the other UAW officials with whom he kept counsel, Hayes recognized this and tried his best not to provoke southern members with what they might feel were overly radical public pronouncements on civil rights. Had he done so, recalled District 776 business

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<sup>59</sup> “Address by A. J. Hayes...September 9, 1953,” Folder “A. J. Hayes,” Box 82, IAMAW Records.

agent O. D. Wright, “[Hayes] would’ve probably lost his union...because the thing [civil rights] was just boiling down here.”<sup>60</sup>

Rather than risk alienating the IAM’s important southern membership, Hayes used his skills as a behind-the-scenes logroller to either work out compromises or neutralize opposition. According to Steve Williams, a Grand Lodge representative who began his long career with the IAM during Hayes’s administration in the early 1950s, it was not unusual for the international to become involved in the internal affairs of local lodges on the issue of civil rights. Sometimes the interventions were by invitation. In these situations, Williams or some other international representative would visit the lodge in order to relieve the pressure on beleaguered local officers. “A good local rep,” explained Williams, “all he had to do was call and we’d come in and take the heat. And sometimes it got heated, but you had to stand there and relate the policy and the law.” In other cases, the international’s involvement was more hostile and designed to force the compliance of local lodges when they refused to abide by its civil rights policies. In the most serious situations, the international simply took over the local union and replaced its leaders. Williams himself admitted to being involved in this type of political chicanery when the officers of a large Houston lodge refused to abide by the IAM’s policies. “The international assigned me in supervision of the entire district,” Williams explained, “and I

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<sup>60</sup> O. D. Wright Interview, October 22, 2008 (tape in the author’s possession); Steve Williams Interview, October 24, 2008 (tape in the author’s possession); and Perlman, *The Machinists*, 280.

lined up some people to run against them.” When the next district election came around, this political wheeling and dealing led to the replacement of the officers in question.<sup>61</sup>

Of course, such drastic maneuvering as that which took place in Houston was the exception rather than the rule. Labor statesman that he was, Hayes understood that diplomacy was a much safer route to follow than coercion when it came to a potentially incendiary issue like civil rights. This cautious approach toward race relations can clearly be seen in the international union’s attempts to organize Bell Helicopter’s newly opened north Texas plants. After several years in which Convair was the only aircraft manufacturer in town, Fort Worth residents rejoiced when Lawrence Bell announced in March 1951 that the company bearing his name had plans to build four new facilities east of Fort Worth, including a major production plant in the nearby town of Hurst. Although UAW officials at the company’s main plant in Buffalo, New York, maintained that the move to Texas was based on a desire to break their union, Bell himself insisted that the decision was a reflection of both the greater availability of manpower and housing in the Fort Worth area as well as the cordial relations he enjoyed with Convair.<sup>62</sup> Regardless of the cause, the relocation of this UAW-organized firm into the backyard of one of the largest IAM lodges in the South set off a lengthy and at times vicious battle between the two unions to see who would represent Bell’s Texas employees.

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<sup>61</sup> Steve Williams Interview, October 24, 2008 (tape in the author’s possession). On the UAW’s racial policies within the South, see Lewis-Colman, *Race against Liberalism*, 64-71.

<sup>62</sup> “Bell Aircraft Will Move Helicopter Plant to Texas,” *Dallas Morning News*, March 28, 1951; “Bell See Area Plant Making Copters Soon,” *Dallas Morning News*, December 9, 1951; and “A Report on the Battle by UAW-CIO for Bargaining Rights at the Bell Aircraft Corporation’s Texas Plants,” n/d, Folder 14, Box 6, UAW Aerospace Department Records, Wayne State University, Detroit, Michigan (hereinafter cited as UAW Aerospace Collection).

From the outset of this inter-union battle, it appeared that the IAM had most of the advantages. Besides the fact that it was already strongly represented in the area, the IAM also enjoyed the support of Bell officials who wanted to see that the influence of the UAW would not be transplanted to their Texas facilities. Toward this end, Bell hired a number of men who were known to be members of the IAM's international staff and gave them free rein to conduct union business in all of its plants. By contrast, the UAW campaign was severely undermanned—only one full time organizer was assigned to cover four separate facilities during the early days of the organizing effort—and the union had a great deal of trouble arousing enthusiasm among Bell's new Texas employees. Perhaps even worse, African Americans made up approximately half of the attendees at the UAW's sparsely populated organizing meetings, a fact that could very well be used against it by both Bell and the IAM if either party chose to provoke the racism of white rank-and-file workers.<sup>63</sup>

Despite the many dirty tricks that it engaged in alongside management throughout the year-long Bell campaign, it is to the IAM's credit that it refused to raise its opponent's reputation for interracialism. Even when this issue was so provocatively dangled in front of them by the large number of black faces at UAW meetings, IAM organizers focused their efforts elsewhere. As stated by R. L. Bruce, the Grand Lodge Representative in charge of the IAM's Bell campaign, the union's organizing program "was based on the merits of our organization [sic] accomplishments and the benefits that can be had without being subjected to strikes and disturbances that would exist in the CIO family." In accordance with this economic strategy, a number of IAM handbills

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<sup>63</sup> "A Report on the Battle by UAW-CIO," n/d, Folder 14, Box 6, UAW Aerospace Collection.

warned that newly hired Texans would never be able to advance if the UAW achieved its goal of transferring senior workers from Bell's Buffalo plant. Others insisted that a UAW victory would mean paying special assessments to the international office and having local officers chosen without input from the membership. At no time did these materials try to invoke white fears that the UAW might impose racial equality in the plants.<sup>64</sup> In fact, the only occasion on which the issue of race was ever even mentioned involved the reputation of H. A. Moon, the UAW official charged with organizing Bell. According to a statement distributed by IAM organizers, Moon had run into some trouble shortly before he took over the Bell campaign in late 1951:

It is too bad the auto workers are unable to find an IAM substitute for their representative, H.A. Moon, the sub-regional director of the auto workers. [This] is the same H.A. Moon who, during the early part of the month of August, had Room 611 in the Ambassador Hotel in Tulsa, Oklahoma. On the morning of August 16, 1951, a Negro maid came into his room and while she was making up his bed, Moon, overcome with emotion, grabbed her from the rear and said, "I've got to have some of this. I'll give you a dollar." To the maid's credit, she refused to lower herself to Moon's level, stating that she was not that kind of person. She kicked him, struggled out of his embrace, ran from the room and reported the incident to the manager.<sup>65</sup>

While this attempt to besmirch Moon's standing was indeed unsavory, it paled in comparison to the types of overt race-baiting that many other southern unions engaged in to win representation elections. In general, this single exception only served to further accentuate the fact that the IAM's organizing strategy was based largely on economic and political questions.

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<sup>64</sup> R. L. Bruce to A. J. Hayes, July 1, 1952, Reel 352, International President's Records, IAM Microfilm; "Who Did What?," October 25, 1951, *ibid*; and "Attention: Bell Aircraft Employees," October 25, 1951, *ibid*.

<sup>65</sup> Untitled Report, November 3, 1951, Reel 352, International President's Records, IAM Microfilm.

Unfortunately for the IAM, economic issues were what ultimately led to its defeat at Bell. Simultaneous with the IAM's organizing drive, District 776 became entangled in a lengthy series of negotiations to secure a new contract from Convair. As luck would have it, however, thanks largely to the efforts of the UAW's local negotiators in Buffalo, the workers at Bell's new Hurst plant enjoyed wages that were significantly higher than those being paid to their IAM counterparts west of Fort Worth. Although District 776 managed to secure a wage raise prior to the final authorization election, according to R. L. Bruce this settlement simply led Bell's most recently hired employees to believe that they would never be able to gain anything more than what was offered by Convair if they chose the IAM. In the end, it was this belief, along with a number of more complicated legal errors made by IAM organizers, which led Bell's employees to vote 327 to 250 in favor of granting bargaining rights to the newly formed UAW Local 218.<sup>66</sup>

If the Bell campaign had been a failure, it nevertheless indicated just how important it was that the IAM maintain a solid front among its leaders on the issue of civil rights. In this regard, Hayes was quite fortunate to have a fellow quiet progressive overseeing the IAM's interests in the South. Based on his history with the union, one might have expected general vice president Jesse McGlon to be more reactionary on issues of race: after spending nearly twenty years in the conservative railroad department, McGlon was put in charge of the IAM's postwar airline organizing drive in Miami, a city where communist-dominated rival unions had taken very strong stands in favor of racial equality. Whether or not McGlon was able to separate the issues of communism and civil

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<sup>66</sup> R. L. Bruce to A. J. Hayes, July 1, 1952, Reel 352, International President's Records, IAM Microfilm; and "A Report on the Battle by UAW-CIO," n/d, Folder 14, Box 6, UAW Aerospace Collection.

rights during his time in Florida is not readily apparent; what is clear, however, is that within a short time after taking over as southern vice president in 1949, McGlon distinguished himself with his rather moderate views on race relations and civil rights.<sup>67</sup> Having worked closely with McGlon as a member of the IAM's southern staff, Steve Williams asserted that the vice president was "right there with Hayes" when it came to civil rights and did his best to uphold the union's policies. This stance represented a sharp departure from that of McGlon's predecessor Earl Melton, who had been more than willing to exploit racial issues when doing so served a larger purpose. During the congressional battles over President Harry Truman's veto of the Taft-Hartley Act, for example, Melton had instructed the IAM's southern officers to warn their senators that the law contained a secret provision authorizing the creation of a permanent FEPC. Whether or not Melton was a racial demagogue or simply a shrewd politician, the fact that the otherwise racially moderate leaders of District 776 had complied with his instructions showed how very important it was that the IAM's national officers take a strong, uncompromising position if they hoped to safely navigate through an issue as thorny as civil rights.<sup>68</sup>

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<sup>67</sup> "McGlon Appointed General Vice President in South," *The Machinist*, January 13, 1949. For information on the organization of airline workers in Miami, see Alex Lichtenstein, "Putting Labor's House in Order: The Transport Workers Union and Labor Anti-Communism in Miami during the 1940s," *Labor History*, 39 (February 1998), 7-23. On the frequent intersection between communism and civil rights in the postwar South, see Jeff Woods, *Black Struggle, Red Scare: Segregation and Anti-Communism in the South, 1948-1968* (Baton Rouge: Louisiana State University Press, 2004); and George Lewis, *The White South and the Red Menace: Segregationists, Anti-Communism, and Massive Resistance, 1945-1965* (Gainesville: University of Florida Press, 2004).

<sup>68</sup> Steve Williams Interview, October 24, 2008 (tape in the author's possession); Earl Melton to J. F. Foster, June 20, 1947, Folder 10, Box 7, District 776 Papers; and J. F. Foster to Senators Tom Connally and W. Lee O'Daniel, June 20, 1947, *ibid*.



His predecessor's poor example notwithstanding, McGlon did his best to provide the type of leadership that the IAM needed from its southern staff during the early years of the civil rights revolution. At a time when many southern states, including Texas, were building legal cases against various civil rights groups, McGlon was busy pragmatically forging closer relations with them. The first such outreach occurred in late 1953 when McGlon participated in a workshop on trade unions held at the Tuskegee Institute in Alabama, an experience that he said impressed him with the presumably African American participants' understanding of organized labor.<sup>69</sup> The southern vice president's most important outreach program, however, was aimed at the NAACP, which was becoming synonymous with civil rights in the early 1950s. McGlon's hope was that the influence of this organization and his association with it would bolster the now-integrated IAM's organizing efforts among African Americans. Apparently unmindful of the massive resistance movement that was just then beginning to spread across the South, McGlon accepted an invitation to speak before the NAACP's Dallas convention in June 1954. Just as Hayes had done in his speech before the National Urban League, McGlon recognized the importance of contrition and adopted an apologetic tone regarding the IAM's racial past. "I'll say this and say it with emphasis," he exclaimed to the convention, "we're much stronger and a more effective labor union since we've stopped discriminating." McGlon also urged his audience to take note of African Americans' more recent accomplishments within the union, citing for example the fact that they enjoyed equal voting rights and held many positions as officers and committeemen. In

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<sup>69</sup> "Address by J. C. McGlon...before the 45th Annual Convention of the National Association for the Advancement of Colored People, Dallas, Texas, June 29-July 4, 1954," Folder 5, Box 31, Collection AR 109, William Clitheroe Papers, University of Texas at Arlington Special Collections (hereinafter cited as Clitheroe Papers).

reference to the IAM's recently abolished practice of allowing segregated auxiliaries, he insisted that such arrangements had never been carried over into dealings with management, which were always strictly integrated. Perhaps realizing that his speech would receive a great deal of publicity among his southern constituency, McGlon did offer some somber warnings to his audience about what they could expect from the union and what the union expected from them. Mimicking the rhetoric of Hayes, Reuther, and other prominent labor leaders, McGlon reminded his audience that the IAM as an organization was concerned with the economic welfare of all workers and could not offer "tinsel promises" of special treatment to African Americans. "The IAM expects colored workers to choose a union, and to join it, and to support it, for what that union can do in the economic field through collective bargaining," he insisted. "On that basis I believe the IAM can—and does—do more for its members than any other union. Equality does not mean discrimination—neither does it mean preference."<sup>70</sup>

Despite the somewhat cautionary note on which it concluded, McGlon's speech was well received by delegates to the convention. In a letter to IAM headquarters in Washington, Herbert Hill, one of the NAACP's most pugnacious critics of organized labor, declared that McGlon's presence in Dallas "[indicated] to Negro workers and the entire Negro community the identification of IAM with the cause of civil rights in America." Hill also stated that as a result of the meeting, plans were in the works to develop a joint program with the IAM for securing admission of qualified African

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<sup>70</sup> "Address by J. C. McGlon...June 29-July 4, 1954," Folder 5, Box 31, Clitheroe Papers. On the NAACP's strategy toward organized labor in the early 1950s, see Sophia Z. Lee, "Hotspots in a Cold War: The NAACP's Postwar Workplace Constitutionalism, 1948-1964," *Law and History Review*, 26 (Summer 2008), 327-78.

Americans into apprenticeship programs and training facilities.<sup>71</sup> For his own part, McGlon concluded that his attendance at the conference was well worth the time it took. Besides revealing just how close the relationship between the NAACP and the CIO was, McGlon's standing as the only representative from an AFL-affiliated union allowed him to defend "against the many false rumors and statements that were being made against the IAM among the Negro employees throughout the southern territory." This, he noted, would go a long way toward lessening the difficulties the union was having organizing black workers. Hoping to capitalize on this newfound goodwill, shortly after the convention adjourned McGlon addressed a letter to the IAM's southern staff in which he urged them "to make necessary contacts with the colored people in each and every plant, so that you may assure them that the IAM is not a 'lily-white' organization" and that they would enjoy equal representation with every other employee.<sup>72</sup>

Back in Fort Worth neither McGlon's orders nor his cordial new relationship with the NAACP seem to have raised any eyebrows among local union leaders, at least some of whom were already making their own efforts to extend a more welcoming hand toward African Americans. As recently as December 1952, in fact, District 776's secretary treasurer Ross Mathews had participated in a meeting called by Herbert Hill to discuss African American employment problems with local labor leaders. Although the details of this conference are now lost, it nevertheless serves to indicate that District 776 leaders

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<sup>71</sup> Herbert Hill to Elmer Walker, July 27, 1954, Reel 6, *Papers of the NAACP, Part 17: National Staff Files, 1940-1955*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America, 1993); and Herbert Hill, "Monthly Report for May 1953," June 4, 1953, *ibid.*

<sup>72</sup> Jesse McGlon to A. J. Hayes, July 24, 1954, Reel 266, International President's Records, IAM Microfilm; and Jesse McGlon to Grand Lodge Southern Representatives, July 24, 1954, *ibid.*

were at least making token efforts to comply with Hayes's and McGlon's instructions to reach out to black workers. At a time when the NAACP was considered by many southerners to be an agent of communist subversion, it took a great deal of fortitude for a local white labor leader such as Mathews to associate with the organization. Such gestures were not lost on the NAACP. Hoping to further strengthen this nascent alliance and advance its members position within unionized workplaces, the NAACP's Texas State Conference of Branches passed a resolution at its 1954 convention affirming its support for democratic trade unionism and urging labor unions to insert strong anti-discrimination clauses into their collective bargaining agreements.<sup>73</sup>

Perhaps the clearest evidence of District 776's moderate stance on civil rights can be seen in the positions it took on the touchy subject of school desegregation. With the announcement in May 1954 of the Supreme Court's historic *Brown vs. Board of Education* decision, the issue of segregation was elevated to unprecedented heights within the southern labor movement. Throughout the South, overwhelming majorities of union members not only opposed the racial integration of public schools but were willing to lend their organizational strength to the White Citizens Councils and other movements that appeared to protest the decision. While many labor leaders caved before the pressure that this angry rank-and-file majority exerted upon them, a much smaller cadre recognized the potentially negative impact of massive resistance—which, according to historian Alan Draper, was “a Trojan Horse designed to smuggle in new, restrictive labor

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<sup>73</sup> Herbert Hill to Walter White, November 28-December 30, 1952, Reel 6, *Papers of the NAACP, Part 17: National Staff Files, 1940-1955*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America, 1994); and “Resolutions: Texas State Conference of Branches of the NAACP, 18th Annual Session, October 22-24, 1954, Waco, Texas,” Folder 8, Box 3N161, Series III, *State of Texas vs. NAACP* Case Records, Center for American History, Austin, Texas.

legislation by labor's opponents"—and summoned the courage to oppose segregationist forces. Though it is difficult to say with certainty, it appears that District 776's officers and the statewide leadership of the IAM fell within this latter category. In an August 1954 editorial printed in the machinist's edition of *Labor News*, for example, the paper sharply criticized Governor Allan Shivers for attempting to exploit Texans' anger over the Supreme Court decision for his own political gain. Instead, the editorial recommended the example set by the Southern Education Reporting Service, urging its readers to gather objective facts about school desegregation and approach the issue calmly.<sup>74</sup> This same level of guarded support also extended to the risky positions taken by the Texas Social and Legislative Conference (SLC), a liberal political action committee whose leadership included District 776 secretary-treasurer Ross Mathews and the entire executive board of the Texas State Council of Machinists. Even when the SLC endorsed both the *Brown* decision and full racial equality, this IAM contingent resisted what must have been a powerful urge toward political survival and remained steadfast supporters of the group. While neither the SLC's actions nor the *Labor News* editorial necessarily provides evidence that District 776 members were happy about school desegregation, both episodes do indicate that at the very least the IAM's local and statewide leadership was attempting to swing rank-and-file opinion toward support for civil rights.<sup>75</sup>

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<sup>74</sup> "In Prospect: A Clear Light," *Labor News: Machinists' Edition*, August 12, 1954. For a broad analysis of the southern labor movement's response to the *Brown* decision, see Alan Draper, *Conflict of Interests: Organized Labor and the Civil Rights Movement in the South, 1954-1968* (Ithaca, NY: ILR Press, 1994), 17-61.

<sup>75</sup> "Legislative Program, 1955," Folder 6, Box 1, SLC Records.

This same restraint that characterized their response to the *Brown* decision was also apparent in the way that District 776 officers handled segregation within their own ranks. Three months before the Supreme Court handed down its groundbreaking decision, local leaders were told by McGlon that the segregated arrangement they had with the Glover Colored Aircraft Workers Union no longer served the best interests of the IAM and would have to be cancelled. According to the vice president's instructions, each of the auxiliary's remaining black members were to be immediately inducted into the white lodge and afforded full and equal representation. If this news gave rise to any local protests, they were not recorded in District 776's correspondence. After meeting with a handful of Convair's African American employees to discuss their contractual and constitutional rights in the IAM, District 776 officials accepted them and all the rest of the Glover members into its ranks without fanfare. As much as anything else that had happened in the past decade, this peaceful merger of what had previously been two separate and unequal Jim Crow unions indicated just how much of a transformation the IAM's racial policies and attitudes had undergone since World War II.<sup>76</sup>

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Coming as it did in the pivotal civil rights year of 1954, the IAM's decision to outlaw segregation and actively court African Americans as new members was indeed a noteworthy moment for a union long identified with racial exclusion. Though they certainly were not the most racially progressive trade unionists in the country, A. J. Hayes's machinists did willingly if somewhat warily place themselves among the ranks

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<sup>76</sup> Jesse McGlon to W. L. Grant, December 3, 1953, Reel 108, President's Office Records, IAM Microfilm; Jesse McGlon to A. J. Hayes, December 10, 1953, *ibid*; and Ross Mathews to Lester Graham, February 16, 1954, *ibid*.

of those labor organizations that favored a new and more economically pragmatic course in race relations. Even more important than what the national union stood for, however, was what these changes meant at the local level. In the nine years since the destruction of the FEPC deprived African Americans of their most powerful ally, the leaders of District 776 had partially filled the breach through their willingness to offer Convair's black workers the same fair workplace representation to as they did for the much more numerous white workers who comprised the majority of the company's payroll. Whatever the local union may have lacked in moral opposition to racial discrimination it made up for with a pragmatic egalitarianism based on the structural realities of the aircraft industry. In short, if the leaders of District 776 did not go out of their way to correct the workplace discrimination faced by Convair's black employees, neither did they attempt to impede these workers' future advancement. Considered within the highly charged racial atmosphere of the postwar South, this was indeed no small accomplishment.

Unfortunately, District 776's moderate postwar racial stance never translated into increased employment opportunities for African Americans. During the early 1950s, the size of the workforce at Convair jumped significantly as the plant joined in the nationwide production effort to supply U.S. troops in Korea. By the final months of the war, in fact, employment at the plant stood at approximately 30,000, a figure that came close to matching the World War II peak. And yet in spite of this explosion, there were still only 1,200 African Americans on Convair's payroll, nearly all of whom were confined to menial jobs as janitors or laborers. Once the Korean buildup began to cease in late 1953, these figures dropped just as dramatically as they had in 1945, with black

employment falling to 300 out of 23,000 within a matter of months.<sup>77</sup> Clearly, something more than union representation was needed if this imbalance was ever to be corrected. As civil rights activists were wondering how they might overcome such workplace discrimination, President Dwight Eisenhower came forward with what seemed to be a promising answer. Issued on August 13, 1953, Executive Order 10479 established the President's Committee on Government Contracts (PCGC) to investigate the employment opportunities available to African Americans within companies doing business with the federal government. Evoking memories of the FEPC, those fighting for civil rights cheered this development as a hopeful new milestone on the road toward fair employment. As these activists were to discover in the coming years, however, this hope proved to be largely unjustified.

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<sup>77</sup> U. Simpson Tate to Walter White, April 28, 1953, Reel 6, Series A, *Papers of the NAACP, Part 13: NAACP and Labor, 1940-1955*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America, 1991); "Survey by NAACP of Negro Employment Policies of Firms Holding U.S. Defense Contracts," n/d, Reel 3, *ibid*; and Herbert Northrup, *The Negro in the Aerospace Industry* (Philadelphia: Wharton School of Finance and Commerce, Industrial Research Unit, 1968), 24.



### CHAPTER 3

#### **“THIS OPERATION BY ITSELF WAS NOT ADEQUATE”: EQUAL EMPLOYMENT IN THE MILITARY-INDUSTRIAL COMPLEX, 1953-1960**

Once described by President Franklin D. Roosevelt as “the Nation’s No. 1 economic problem,” the South was undergoing a veritable industrial revolution during the 1950s. Fueled by federal dollars and an invigorated spirit of regional boosterism, millions of southerners left behind bleak memories of the pre-war years and made the move from stagnant rural cotton fields to fast-paced urban factories and newly built suburbs. The nation’s Cold War obsession with defense readiness proved to be especially profitable in places such as Fort Worth, where Convair, Bell, and other military contractors pumped over \$100 million annually into the local economy.<sup>1</sup> Yet even as boosters lauded this industrial progress, certain defining features of southern society remained virtually unchanged. According to historian Bruce Schulman, all across the region “national policy reinforced the racial biases of southern economic development” and set up a series of racialized class divisions that would only become more evident as the years advanced. Jim Crow’s presence was especially pronounced in the federally subsidized production facilities of Fort Worth’s aircraft manufacturers. With those lucky enough to have a job representing only 1.6 percent of the industry’s total workforce, African American

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<sup>1</sup> “Convair Payroll Hits \$100 Million,” *Fort Worth Press*, May 21, 1951; and “\$12 Million a Month Pours into Payrolls at Convair,” n/d, “Convair, 1950-1954,” Vertical Files, Genealogy, History, and Archives Unit, Fort Worth Public Library. On the impact of military spending in the South during the post-war era, see Gregory Hooks, “Guns and Butter, North and South: The Federal Contribution to Manufacturing Growth, 1940-1990,” in *The Second Wave: Southern Industrialization from the 1940s to the 1970s*, ed. Philip Scranton (Athens: University of Georgia Press, 2001), 255-85; and Bruce Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South, 1938-1980* (New York: Oxford University Press, 1991), 135-73.

workers clearly were not privy to the benefits of what one source observed was a “golden cornucopia” for Fort Worth.<sup>2</sup>

Of course, the improving economy was not the only change facing the South at this time. Although most civil rights scholars have tended to focus on the struggles surrounding the desegregation of schools and public accommodations, the 1950s were also a period of stepped up demands for equal employment opportunity as well. Just as their counterparts outside the workplace were doing in these more frequently studied campaigns, black workers increasingly turned to the federal government for redress of the discrimination they faced in the South’s burgeoning defense industries.<sup>3</sup> Created in August 1953, the President’s Committee on Government Contracts (PCGC) seemed as though it might revive the commitment to equal employment that had been briefly displayed by federal authorities during the days of the Fair Employment Practice

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<sup>2</sup> Schulman, *From Cotton Belt to Sunbelt*, 201; Herbert Northrup, *The Negro in the Aerospace Industry* (Philadelphia: Wharton School of Finance and Commerce Industrial Research Unit, 1968), 28; and “\$12 Million a Month Pours into Payrolls at Convair,” n/d, “Convair, 1950-1954,” Vertical Files, Genealogy, History, and Archives Unit, Fort Worth Public Library.

<sup>3</sup> Although there are no studies dealing exclusively with the problem of employment discrimination during the 1950s, a number of historians have looked at this period within the context of larger projects. See Paul Moreno, *From Direct Action to Affirmative Action: Fair Employment Law and Policy in America, 1933-1972* (Baton Rouge: Louisiana State University Press, 1997), 107-88; Robert Frederick Burk, *The Eisenhower Administration and Black Civil Rights* (Knoxville: University of Tennessee Press, 1984), 89-108; Timothy Minchin, *The Color of Work: The Struggle for Civil Rights in the Southern Paper Industry, 1945-1980* (Chapel Hill: University of North Carolina Press, 2001), 7-31; Timothy Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill: University of North Carolina Press, 1999), 7-42; Michael R. Botson, Jr., *Labor, Civil Rights, and the Hughes Tool Company* (College Station: Texas A&M University Press, 2005), 146-62; Judson MacLaury, *To Advance Their Opportunities: Federal Policies Toward African American Workers from World War I to the Civil Rights Act of 1964* (Knoxville, TN: Newfound Press, 2008), 137-62; and Ronald Alan Schlundt, “Civil Rights Policies in the Eisenhower Years” (Ph.D. dissertation, Rice University, 1973), 59-91.

Committee (FEPC). Unfortunately, the PCGC quickly proved to be but a poor reflection of the FEPC even as it followed its bureaucratic predecessor's trajectory into oblivion. Nearly everything about the new committee reflected the lukewarm support that civil rights enjoyed within the administration of President Dwight D. Eisenhower. Guided by the same Cold War mentality that was rapidly transforming the southern economy, federal officials were disinclined to countenance any action that might interfere with the nation's ability to defend itself. Besides eliminating the possibility that the PCGC would use its ability to cancel contracts as a means of improving African American fortunes in the short term, this ideological cautiousness also had the long-range effect of preventing policymakers from recognizing the persistent links between employment discrimination and the inequality inherent in an unplanned economy.<sup>4</sup> Thus defined by these weaknesses, the PCGC's main accomplishment was to convince civil rights leaders that employment discrimination could not be conquered without much stricter federal legal proscriptions and severe penalties.

Given the limitations on both its power and its ideas about reform, it is not surprising to discover that the PCGC also had little impact on organized labor. Because the committee's approach to equal employment was heavier on rhetoric than positive action, unions that chose to discriminate against African Americans quickly realized that

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<sup>4</sup> On the debates over national economic among liberals, see Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Alfred A. Knopf, 1995); Elizabeth Cohen, *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (New York: Knopf, 2003); Jonathan Bell, *The Liberal State on Trial: The Cold War and American Politics in the Truman Years* (New York: Columbia University Press, 2004); Otis L. Graham, Jr., *Toward a Planned Society: From Roosevelt to Nixon* (New York: Oxford University Press, 1976); and Ellis Hawley, *The New Deal and the Problem of Monopoly: A Study in Economic Ambivalence* (Princeton, NJ: Princeton University Press, 1966).

they were outside the reach of the understaffed agency. Whatever steps the labor movement may have taken toward improving its own troubled record on race relations was the result of either its leaders' initiative or the pressure exerted upon it by black workers and civil rights activists. The absence of a significant PCGC presence in the workplace becomes especially apparent when examining the history of the Fort Worth aircraft industry and the local experiences of such racially moderate unions as the International Association of Machinists (IAM) and the United Automobile Workers (UAW). As Alan Draper demonstrates in his study of the southern labor movement's response to civil rights, in areas where federal officials failed to take a strong stand, there was usually a sharp divide between what union leaders advocated and how far their members were willing to go on the issue.<sup>5</sup> While they continued to fulfill their basic contractual obligations toward black members throughout the 1950s, the leaders of IAM District Lodge 776 at Convair and those of the newly organized UAW Local 218 at Bell Helicopter were unwilling to engage in a full-fledged assault on employment discrimination. Even the union's national leaders, many of whom had amassed reputations as civil rights supporters during the immediate postwar period, began shifting their attention to less politically explosive forms of employment discrimination in the absence of a strong federal presence. Thus, at the same time that the civil rights revolution was slowly beginning to transform the world outside of the Fort Worth aircraft plants, inside hundreds of African Americans continued to find themselves trapped in

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<sup>5</sup> Alan Draper, *Conflict of Interest: Organized Labor and the Civil Rights Movement in the South, 1954-1968* (Ithaca, NY: ILR Press, 1994). Also see David M. Lewis-Colman, *Race against Liberalism: Black Workers and the UAW in Detroit* (Urbana: University of Illinois Press, 2008), 64-71; and Kevin Boyle, *The UAW and the Heyday of American Liberalism, 1945-1968* (Ithaca, NY: Cornell University Press, 1995), 107-31.

poorly paid unskilled jobs. For these unlucky workers, the fact that they were fairly represented by white union leaders on the shopfloor was small recompense indeed.

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For the proponents of equal employment, the end of World War II had been a bittersweet moment. On the positive side, the investigations of the FEPC had shown a spotlight on the national problem of employment discrimination and showed that even an organizationally emasculated government agency could leave a mark when staffed by individuals dedicated to their important work. The hundreds of thousands of African Americans who found themselves employed in high paying defense jobs at the war's end was a testament to the utility of federal enforcement. Of course, the FEPC was not destined to survive demobilization. With an army of returning veterans and an increasingly hostile Congress arrayed against them, civil rights activists were unable to preserve either the committee or the federal commitment to fair employment practices that it represented. For the millions of African Americans who were forced to subsist on low-wage jobs or thrown out of work altogether, the late 1940s offered little more than the hope that conditions might someday improve and permit them to experience their earlier gains once again.<sup>6</sup>

Given the importance of warfare to their economic advancement, it is not surprising then that the outbreak of fighting in Korea engendered a certain amount of optimism among black workers. Considered against the backdrop of the lean years that preceded it, this vicious conflict and the mass mobilization of manpower it required was

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<sup>6</sup> On the experience of black workers in the immediate postwar years, see Chapter 2. Also see Charles Chamberlain, *Victory at Home: Manpower and Race in the American South during World War II* (Athens: University of Georgia Press, 2003), 181-201.

one of the best opportunities that equal employment advocates had to put their concerns back on the national agenda. Almost immediately after the U.S. entered the war in June 1950, civil rights leaders began pressuring President Harry Truman to create a new FEPC. Initially the president resisted these demands by arguing that defense contracts already included language prohibiting employment discrimination, but the disingenuousness of this statement was pointed out by those who rightly maintained that contractors had little incentive for enforcement in the absence of an effective oversight agency. With this counterpoint and the rising number of complaints the White House was receiving from rank-and-file workers in mind, Truman thus issued Executive Order 10308 in December 1951. Under this new presidential fiat, the heads of each government contracting agency were required to insist that contractors with whom they did business comply with their non-discrimination clauses. The order also set standards for evaluating equal employment and created the eleven-member Government Contract Compliance Committee (GCCC) to assist with enforcement. Unfortunately, despite being born under similar circumstances as the FEPC, the new GCCC proved to be but a pale reflection of its World War II predecessor. Although the committee could hold hearings and publicize cases of discrimination, it lacked the authority to order compliance and was dependent upon the heads of individual government agencies—many of whom were unfriendly toward fair employment—for both enforcement and funding. As might be expected under these circumstances, the GCCC failed to have much of an impact on the problems black workers faced. After waiting nearly two months to hold its first meeting, the GCCC spent the majority of 1952 studying the history of anti-discrimination law and arguing about the procedures that contracting agencies should follow. While it did

manage to investigate more than three hundred complaints from minority workers, by the time Truman left office in 1953, the GCCC had done little more than re-expose forms of employment discrimination that most people had already known existed beforehand.<sup>7</sup>

At its core, the failure of the GCCC revolved primarily around the lukewarm support that it had received from Truman and other administration officials who were unwilling to further antagonize hostile southern congressmen. To an even greater extent than the FEPC, the GCCC had demonstrated that effective enforcement of fair employment required leaders who were unapologetic about their commitment to equal rights and willing to get in the faces of detractors. Taking this important lesson into consideration, the nation's civil rights activists must have been quite wary indeed on the day that Dwight D. Eisenhower was inaugurated as president. Unlike his predecessor, Eisenhower did not even grudgingly believe that the federal government should take a strong stand on civil rights; instead, he advocated that this volatile issue and the responsibility for its enforcement should be handed over to local and state officials as often as possible. Guided by this philosophy, it was thus quite natural for Eisenhower to look toward the decentralized GCCC once reporters and civil rights activists began questioning his administration on whether it intended to form its own contract compliance committee. Throughout the summer of 1953, White House staff spent a great deal of time conferring with members of the defunct Truman committee and debating whether or not they should follow its model. Though a small number of staff members maintained that the cause of equal employment among government contractors should be

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<sup>7</sup> Executive Order No. 10308, December 3, 1951, [http://en.wikisource.org/wiki/Executive\\_Order\\_10308](http://en.wikisource.org/wiki/Executive_Order_10308) (accessed July 2, 2010); "President Sets Up Group to Bar Bias in Contract Work," *New York Times*, December 4, 1951; "Truman vs. Bias," *New York Times*, December 9, 1951; and MacLaury, *To Advance Their Interests*, 132-34.

abandoned altogether, most joined Eisenhower in arguing that a replacement committee should be formed as soon as possible. Having decided on a course of action, Eisenhower issued Executive Order 10479 in August 1953 declaring fair employment regardless of race, creed, color, or national origin to be the policy of the federal government when dealing with contractors and creating the PCGC to provide oversight.<sup>8</sup>

As with both the FEPC and the GCCC, the fourteen-member PCGC clearly revealed the priorities of those who created it. According to Judson MacLaury, the new committee was given a three part mission by the Eisenhower administration: to improve the anti-discrimination clauses contained in contracts; to accept complaints from workers and refer them to the appropriate contracting agency; and to encourage employers and other groups to develop programs that would eliminate the causes of employment discrimination.<sup>9</sup> Underneath these stated goals, however, the primary purpose of the new committee was to publicize the president's concern for civil rights without providing too much in the way of substantive action. This reality was subtly reflected in Eisenhower's instructions to Vice President Richard Nixon, who served as chair of the new committee. In a congratulatory letter written shortly after the PCGC was organized, Eisenhower emphasized to Nixon that his job was "to counter skeptics in American idealism 'both as an answer to that doubt and proof of our faith.'" Committee members themselves echoed this sentiment, maintaining time and again that their function was to provide a forum for discussions on equal employment, but rarely if ever saying anything about the need for

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<sup>8</sup> Executive Order No. 10479, August 13, 1953, [http://en.wikisource.org/wiki/Executive\\_Order\\_10479](http://en.wikisource.org/wiki/Executive_Order_10479) (accessed July 2, 2010); Burk, *Eisenhower Administration and Black Civil Rights*, 93; Schlundt, "Civil Rights Policies in the Eisenhower Years," 69; and MacLaury, *To Advance Their Interests*, 142-43.

<sup>9</sup> MacLaury, *To Advance Their Interests*, 143.



substantive action. Even the programs that the PCGC followed reflected this emphasis on rhetoric. The main focus was on educating Americans about the benefits of fair employment through educational programs and a variety of other media such as pamphlets, posters, films, radio, and television, but the committee also had the authority to call conferences with employers wherein it would ask that they voluntarily promote fair employment within their respective industries. Not surprisingly, this hands-off approach was very much appreciated by businessmen, many of whom showed their gratitude by vocally touting the PCGC and its functionally weak program.<sup>10</sup>

For all of the media blitz that accompanied it, the cheerleading efforts of the PCGC stood in stark contrast to the virtually non-existent enforcement powers conferred upon it by the president. As historian Hugh Davis Graham points out, the administration's reluctant stance toward equal employment was embedded in the very name of the PCGC, which lacked the modifying term "compliance" included in the title of Truman's GCCC. Besides having a miniscule budget of \$125,000 and a skeleton staff of only nine, the PCGC was given no authority to order remedial action from contractors or even to conduct independent investigations of their facilities. Eisenhower also refused to grant his new committee cease-and-desist power, correctly recognizing that such governmental interference in private enterprise had been one of the most effective arguments used to kill the earlier FEPC. Instead, the PCGC acted as a clearinghouse for complaints in a complicated process that one commentator argues was "designed more to delay progress than to encourage it." Upon receiving a charge of discrimination—most

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<sup>10</sup> Burk, *Eisenhower Administration and Black Civil Rights*, 95-97; Schlundt, "Civil Rights Policies in the Eisenhower Years," 63, 69-70; and Moreno, *From Direct Action to Affirmative Action*, 181.

often from an individual—the committee would forward it to the appropriate government contracting agency and let them know that it was their responsibility to enforce the executive order. What happened next generally depended upon the willingness of individual agencies and companies to cooperate. In some cases, the PCGC’s entreaties were simply ignored; in others, investigations were made and conciliation talks were held. Assuming that they did anything at all, contracting agencies usually adjusted complaints by securing some form of token concession for small groups of black workers and then forwarding a report of its action to the PCGC for review. If the committee was dissatisfied with the result, it could recommend a new course of action, but even then the agency involved remained under no obligation to heed the advice.<sup>11</sup>

The extent of the Eisenhower administration’s commitment to equal employment was most evident on the infrequent occasions when the PCGC dealt directly with contractors. In December 1953, for example, the committee stepped in to assist with the investigation of a complaint filed against the Chance Vought Aircraft Company in Grand Prairie, Texas. Occupying a portion of the facility built for North American Aviation during World War II, Chance Vought’s workforce stood at approximately 10,500 when the PCGC was created. According to estimates made by the Dallas branch of the National Association for the Advancement of Colored People (NAACP), only 500 of these workers were African American and all were concentrated in either custodial or unskilled labor positions. Working together with the NAACP, the local chapter of the National Urban League (NUL), and the American Friends Service Committee, the PCGC

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<sup>11</sup> Hugh Davis Graham, *The Civil Rights Era: Origins and Development of National Policy, 1960-1972* (New York: Oxford University Press, 1990), 17, 21; Schlundt, “Civil Rights Policies in the Eisenhower Years,” 59-60, 63-64, 73; and Burk, *Eisenhower Administration and Black Civil Rights*, 93-99.

prevailed upon Chance Vought to provide more opportunities for African Americans. Though company management ultimately conceded to these requests, the results were quite limited: five African Americans were hired into white collar positions while another twenty-seven were promoted to skilled and semi-skilled jobs on the production line. In line with its propagandistic mission, the PCGC did its best to capitalize on these minor gains by including a photo of black Chance Vought employee Douglas Smith working in the classification of assembler in its final report on the situation. The caption accompanying the picture explained that it was Smith's job "to drill, ream, countersink, rivet, trim, fit, and assemble airplane parts," and that he was upgraded with the help of the PCGC from an assembler "C" classification.<sup>12</sup>

As much as its members might try to spin these accomplishments, the situation at Chance Vought did little more than highlight the PCGC's shortcomings. First and foremost, the promotion of three dozen African Americans, while a start, hardly indicated that the company had mended its ways. Time and again throughout its life, the PCGC's limited resources and restricted mandate would force it to accept such minor adjustments as evidence of full compliance. The Chance Vought investigation also revealed the extent to which the underfunded PCGC had to rely on outside organizations to both round up complaints and do the legwork needed to secure even minor adjustments. Though

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<sup>12</sup> "Survey by NAACP of Negro Employment Policies of Firms Holding U.S. Defense Contracts," n/d, Reel 3, Series A, *Papers of the NAACP, Part 13: The NAACP and Labor, 1940-1955*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America, 1991); Jacob Seidenberg, "The President's Committee on Government Contracts: An Appraisal," (N.p., 1961); President's Committee on Government Contracts, "Five Years of Progress, 1953-1958: A Report to President Eisenhower by the President's Committee on Government Contracts," (Washington, D.C.: GPO, 1958), 8, 19; Burk, *Eisenhower Administration and Black Civil Rights*, 103; and Schlundt, "Civil Rights Policies in the Eisenhower Years, 74-75.

civil rights groups such as the NAACP and the NUL were its most frequent local contacts, the committee also occasionally enlisted the services of organized labor. In Grand Prairie, for example, the PCGC had been aided by the UAW's regional director for fair employment, who ordered a survey of the plant's black workers to determine what jobs they might be suited for. Such cooperation would prove indispensable to the overworked and understaffed committee over the years.<sup>13</sup> Finally, and perhaps most importantly, the symbolic importance of these individual cases barely dented the iron façade of racial discrimination that continued to dominate many of the industries doing business with the government. Even as the PCGC celebrated the minor gains it had made at Chance Vought, African Americans continued to make up a miniscule percentage of the workforce in the Fort Worth aircraft industry as a whole. At Convair, there were only three hundred African Americans among the plant's 23,000 workers, while neighboring Bell Helicopter counted only one hundred on its payroll of 3,100 employees. These paltry numbers were a clear indication that more than individual gestures were needed to solve the problem of employment discrimination.<sup>14</sup>

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<sup>13</sup> "Report Summary of Activities, UAW-CIO Fair Practices and Anti-Discrimination Department to the International Union Officers and Executive Board Members, March 1953-July 1954," July 30, 1954, Folder 38, Box 55, UAW Fair Practices Department Collection, Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University, Detroit, Michigan (hereinafter cited as UAW Fair Practices Collection); Burk, *Eisenhower Administration and Black Civil Rights*, 95; and Schlundt, "Civil Rights Policies in the Eisenhower Years," 75. Reuther was joined in his role as public labor representative to the PCGC by George Meany, president of the American Federation of Labor. It is worth noting that UAW president Walter Reuther and AFL president George Meany were two of the eight public members appointed by Eisenhower to the PCGC.

<sup>14</sup> "Survey by NAACP," Reel 3, Series A, *Papers of the NAACP, Part 13*; and Northrup, *Negro in the Aerospace Industry*, 23-24. According to an unsigned, handwritten note in the NAACP microfilm collection (presumably drafted by Hill) complaints were apparently filed with the PCGC against both Convair and Bell sometime

Fortunately, the PCGC was not entirely blind to these limitations. Hoping to foster a stronger spirit of action following the challenges of its first year, the PCGC created a subcommittee on review and enforcement in late 1954. Soon thereafter the members of this new subcommittee prepared a manual to help contract agency investigators in determining when discrimination was occurring. While the content of this publication remained fairly shallow—for example, it instructed readers not to accept token hiring of minorities but offered no guidelines on what constituted tokenism—it revealed that the committee was in fact grappling with ways to enhance its effectiveness. The following year saw an intensification of this effort as committee members drafted a uniform non-discrimination provision to be included in all contracts, created a standard equal employment notice to be posted in all contractor facilities, and met with compliance officers from various government contracting agencies to conduct training sessions. This infusion of energy was enhanced even further in 1956 following Eisenhower's reelection. After recommending and receiving a boost in its budget, the PCGC set up a series of regional offices in Chicago, Los Angeles, Atlanta, and Dallas in order to provide closer contact between itself and the local contracting agents it was tasked with overseeing.<sup>15</sup>

Given the extent of discrimination against black workers and the growing assertiveness of many civil rights organizations during the mid-1950s, it was not long before the PCGC's attempts to reform itself were put to the test. In April 1955 the

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in 1954. Unfortunately, the historical record contains no information on whether these early cases were resolved in a manner similar to the adjustments made at Chance Vought.

<sup>15</sup> Seidenberg, "President's Committee on Government Contracts"; Moreno, *From Direct Action to Affirmative Action*, 182-85; and Burk, *Eisenhower Administration and Black Civil Rights*, 100.

committee became involved in its most ambitious attempt to combat industry-wide patterns of discrimination after NAACP general counsel Robert Carter filed complaints on behalf of hundreds of black workers at chemical plants and refineries in Texas, Louisiana, and Arkansas. Carter alleged that the companies and the Oil, Chemical, and Atomic Workers Union (OCAW) were limiting the job opportunities of African Americans by negotiating contracts that mandated segregated job classifications and separate lines of seniority. Rather than forward the case to the Department of Defense, the PCGC took the matter up itself, a decision that may have been based on the fact that the NAACP had already managed to secure concessions from a number of refineries along the Texas Gulf Coast.<sup>16</sup> For the next two years, PCGC member John Minor Wisdom, a New Orleans lawyer with strong ties to the oil industry, attempted to use his connections to engage in one-on-one discussions with the companies cited by the NAACP. By the time Wisdom excused himself from the committee to accept a seat on the bench of the Fifth Circuit Court of Appeals in 1957, however, little progress had been made. With only minor exceptions, the companies involved refused to amend their

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<sup>16</sup> In its 1955 report, the NAACP announced that it had secured the following gains in the oil industry through cooperation with OCAW: elimination of segregated labor departments; promotion of qualified black workers to higher classifications; establishment of the right of blacks to bid for vacant jobs on the basis of their seniority and abilities; and the prohibition by OCAW of discriminatory clauses in all collective bargaining agreements. Interestingly, the PCGC also claimed a number of victories in the Houston area, including the transfer of minority workers from the segregated labor department at Humble Oil, the negotiation of an OCAW contract desegregating seniority at Shell, and the upgrading of a number of African Americans into skilled positions as still operators at Sinclair Refining. See "Progress and Reaction, 1955: NAACP Annual Report, Forty-Seventh Year," n/d, Folder 6, Box 3N163, *State of Texas vs. NAACP* Case Records, Center for American History, University of Texas at Austin (hereinafter cited as *Texas vs. NAACP* Records); and PCGC, "Five Years of Progress," 8-11. Also see Sophia Z. Lee, "Hotspots in a Cold War: The NAACP's Postwar Workplace Constitutionalism, 1948-1964," *Law and History Review*, 26 (Summer 2008), 327-78.

employment practices. When NAACP representatives inquired into the investigations in April 1958, they were chagrined to discover that the PCGC had in fact already passed the case along to the Defense Department after concluding that broad compliance could not be secured.<sup>17</sup>

Intended to showcase its supposedly energized desire for action, the oil industry campaign simply ended up revealing the PCGC's organizational weaknesses once more. Committee members themselves ultimately admitted that the investigations had largely been a failure. In his final assessment of the campaign, Jacob Seidenberg, the committee's executive director, concluded that "whatever progress was made in this industry-wide complaint was the result of personal contacts by Mr. Wisdom" and not any concerted action by the PCGC itself. The oil industry debacle also invited sharp condemnation from a growing list of detractors involved in the national civil rights movement. One of the most vigorous critics was NAACP labor secretary Herbert Hill, who charged that the PCGC's activity "has been mainly ritual and rhetoric with little substance." Having been a driving force behind the Gulf Coast campaign, Hill attacked the committee for the multi-year delays that had occurred in the investigations. "An examination of the record clearly indicates," Hill fumed, "that the Committee has not performed its responsibility of enforcing the anti-discrimination clause in the federal government contracts in the oil refining industry."<sup>18</sup>

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<sup>17</sup> Seidenburg, "President's Committee on Government Contracts"; and Burk, *Eisenhower Administration and Black Civil Rights*, 102. For a biography of John Wisdom, see Joel William Freidman, *Champion of Civil Rights: Judge John Minor Wisdom* (Baton Rouge: Louisiana State University Press, 2009).

<sup>18</sup> Seidenberg, "President's Committee on Government Contracts"; "Laxness Charged in Anti-Bias Pacts," *New York Times*, June 27, 1957; and Herbert Hill to A. Phillip Randolph, January 9, 1958, Reel 13, *Papers of the NAACP, Supplement to Part*

Notwithstanding the PCGC's much publicized activity at Chance Vought, in the wake of the frustrating Gulf Coast oil campaign Hill and the NAACP also expressed dissatisfaction at the lack of action in the growing aircraft industry. Indicative of this sector's increasing importance, twenty of the government's one hundred largest contractors were primarily engaged in manufacturing products for the nation's air arsenal, making these firms a particularly inviting target for civil rights activists. As in other industries, however, the PCGC's enforcement efforts proceeded at a glacial pace. Two years after filing charges against aircraft companies in Kansas, Alabama, and California, for example, an angry Hill complained that "it is not possible to report any action by the committee in any of these cases beyond that of a formal note of acceptance of the complaint." This aggravation grew even worse when Hill turned his attention to Lockheed Aircraft Corporation's assembly plant in Marietta, Georgia. Besides being the single largest private employer in the southeast, Lockheed also conducted its manufacturing operations in a facility owned by the federal government. These facts, combined with the news that the plant's 1,350 African American employees were almost all concentrated in the single euphemistically titled classification of "structural assembly helpers," made Lockheed an important symbol of the discrimination faced by black workers and led to the launching of a desegregation campaign by the NAACP in 1957. In what can only be interpreted as a denunciation of federal policy, Hill decided to take matters into his own hands and completely circumvented the maze of PCGC procedure.

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13: *The NAACP and Labor, 1956-1965*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America, 1997). On Herbert Hill, see the essays by Eric Arnesen, Nancy MacLean, Clarence E. Walker, Nelson Lichtenstein, and Alex Lichtenstein in *Labor: Studies in Working-Class History of the Americas* Vol. 3, No. 2 (Summer 2006), 11-39.



After meeting with a number of black employees, Hill presented their case to IAM president A. J. Hayes and secured a pledge from the union that it would do what it could to open some of the plant's segregated job classifications. Although the committee was involved in the discussions, in the long run it was the intervention and dogged persistence of Hill himself and the willingness to cooperate on the part of the IAM that brought about these developments.<sup>19</sup>

Surprisingly, Hill's heightened attention to the discrimination practiced by the nation's aircraft manufacturers did not foster any concerted action by the NAACP's local branches over conditions at the plants in and around Fort Worth. Despite the fact that its president G. D. Flemmings was a member of the NAACP's executive board and probably knew Hill, the Fort Worth branch appears to have been relatively unconcerned with equal employment in the area's aircraft industry. Neither is there evidence that the much larger and more active Dallas branch was overly concerned with improving conditions any further following its earlier activity at Chance Vought. Of the many reasons that can be invoked to explain this, the most likely seems to be simple distraction. Like those involved with other branches across Texas and the South, the main concern of local NAACP activists in the mid-1950s was with the problems of school and public accommodation desegregation. The relatively small and somewhat disorganized Fort Worth branch was in a particularly unenviable position given that it was involved in the

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<sup>19</sup> Herbert Hill to A. Phillip Randolph, January 9, 1958, Reel 13, *Papers of the NAACP, Supplement to Part 13*; "100 Largest Government Contractors," n/d, Folder "100 Largest Prime Contractors," Box 1, Records of Temporary Committees, Commissions, and Boards: The President's Committee on Government Contracts, 1953-1961, Record Group 220.8, National Archives and Records Administration, College Park, Maryland (hereinafter cited as RG 220.8); and Gilbert Jonas, *Freedom's Sword: The NAACP and the Struggle against Racism in America, 1909-1969* (New York: Routledge, 2005), 260.

legal battles surrounding the desegregation of the Mansfield public schools in the fall of 1956. Pitting Fort Worth lawyer and branch member L. Clifford Davis against the full power of segregationists in both local and state government, the Mansfield case proved to be a disappointing failure for the NAACP. By the time governor Allan Shivers had sufficiently asserted his segregationist credentials and prevented the court ordered integration of this small town's high school, the Fort Worth NAACP's empty coffers left it incapable of providing anything more than moral support to other civil rights causes.<sup>20</sup>

The impact of the Mansfield standoff was destined to have repercussions that stretched much further than north Texas and distracted much more attention from the problem of employment discrimination. Hoping to capitalize on the violent white protests set off by the desegregation crisis, a number of state legislators stepped up their rhetoric against the NAACP and began calling for a way to outlaw the organization in Texas. These lawmakers got their wish in September 1956 when the state attorney general's office opened a case against the NAACP, alleging that its Legal Defense Fund had violated laws prohibiting barratry and certain forms of political activism in the cases it undertook. By the time this sensational trial concluded the following year, the NAACP's legal strategy in Texas had been gutted by an injunction prohibiting it from bringing any new lawsuits. Just as the Mansfield crisis had consumed the Fort Worth branch's attention, the lengthy court proceedings severely undermined the NAACP state conference's ability to engage in other important projects. "We are so busy with legal

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<sup>20</sup> On the battle to desegregate Mansfield, see Robyn Duff Ladino, *Desegregating Texas Schools: Eisenhower, Shivers, and the Crisis at Mansfield High* (Austin: University of Texas Press, 1996). For the Dallas branch's activities at this time, see Brian D. Behnken, "The 'Dallas Way': Protest, Response, and the Civil Rights Experience in Big D and Beyond," *Southwestern Historical Quarterly*, 111 (July 2007), 6-18.

actions and legislative hearings [in Texas],” complained executive secretary Roy Wilkins at one point, “that we barely have time to carry on the program.”<sup>21</sup>

Fortunately for African Americans, the fight against employment discrimination attracted many participants besides those in the legally repressed NAACP. Though their complaints to the federal government were less numerous than they had been in the days of the more strongly organized FEPC, individual black workers were nevertheless ready to step forward and highlight the discrimination that continued to exist in the Fort Worth aircraft industry during the 1950s. One of these individuals was Dee Greene, a rank-and-file worker who complained to the PCGC that he had been discriminated against by Convair (now known as General Dynamics following a merger between the two companies) on the basis of his race. The story began in December 1955 when Greene came upon one of the PCGC’s posters announcing that General Dynamics was henceforth prohibited from considering race when making decisions about employment. With more than thirteen years of seniority as a laborer in the plant, Greene immediately asked his supervisor to upgrade him to the position of truck driver. Much to his surprise, the company honored the request and promoted him along with two other African Americans into the transportation department. Despite a menacing warning from the white foreman that these black workers would never make it under him, everything seemed to go fine for the first few months. This changed abruptly, however, when Greene was arrested one afternoon in May 1956 on charges that he had allegedly stolen money from a camera store during a delivery. In Greene’s mind, there was no doubt that this had been a set up,

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<sup>21</sup> Michael Lowery Gillette, “The NAACP in Texas, 1937-1957” (Ph.D. dissertation, University of Texas at Austin, 1984), 330-31. For details on the state attorney general’s legal battle against the NAACP, see Chapter 8 of Gillette’s study.

a fact seemingly confirmed by the Fort Worth police officers who picked him up. “I was taken to City Hall by the detective who told me, ‘It looks as if someone has it in for you and would like to get rid of you since their story is without any grounds. All we can do is book you for investigation so you can keep your job,’” he later recalled. No doubt realizing that the deck was stacked against him, Greene unwisely agreed to cover the missing money. However, not even this act of coerced contrition was enough to rectify the situation for upon his release from jail, Greene was dismayed to discover that General Dynamics had terminated his employment and was unwilling to consider him for rehire.<sup>22</sup>

Had the saga ended here, this case would likely have been lost to history as one of thousands of examples of how justice was unequally meted out to African Americans in the South. But Greene was not willing to lie down and take this abuse. Immediately after learning his fate, Greene filed a grievance with his business agent at IAM District Lodge 776 claiming that he had been unfairly discharged by General Dynamics. The union’s role in this spectacle will be examined in greater detail below; suffice it to say for now that in keeping with its history of guarding the contractual rights of both black and white members, District 776’s grievance committee took the case all the way to arbitration and won the falsely accused Greene his job back with full seniority. Whatever relief Greene felt was short-lived, however, for three days later he was brought into General Dynamics’s labor relations office and informed that he was being dismissed, this

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<sup>22</sup> “Survey by NAACP,” Reel 3, Series A, *Papers of the NAACP, Part 13*; Dee Greene to President’s Committee on Government Contracts, November 16, 1956, Folder “Convair Aircraft-Fort Worth, Texas, #236,” Box 10, RG 220.8; F. E. Chambers to Col. L. J. Hutton, February 6, 1957, Folder 9, Box 28, Collection AR 48, International Association of Machinists and Aerospace Workers District Lodge No. 776 Papers, University of Texas at Arlington Special Collections (hereinafter cited as District 776 Papers); A. C. Hicks to File, n/d, *ibid*; and Dee Greene to Sir, January 25, 1957, *ibid*.

time on charges that he had falsified his employment application by omitting his arrest record. When Greene's argument that he had only done what he was told to do by company officials failed to reverse the action, he decided to appeal his case directly to the PCGC.<sup>23</sup>

Though he had no way of knowing when he mailed it, Greene's letter was destined to set off a lengthy three-year-long investigation that would reveal both the weaknesses of the PCGC and its misplaced faith in voluntary compliance as a means of insuring equal employment opportunity. As it did with most complaints it received, the committee quickly forwarded Greene's case to Air Force officials and requested that they assign an investigator to look into it. Interestingly, in sending his instructions PCGC executive director Jacob Seidenberg did not limit himself simply to Greene's dismissal but also requested that the Air Force look into allegations that General Dynamics was not employing African Americans in skilled positions. Exactly why Seidenberg chose to include this charge, which was not included anywhere in Greene's original complaint, is unclear. The only report that hiring discrimination was taking place had been compiled by the NAACP several years before, and there is no evidence that these complaints were ever sent to the PCGC. Whatever his reasons for offering them may have been, Seidenberg's instructions greatly expanded the scope of the subsequent investigations at General Dynamics. The first order of business for the Air Force was to determine if Greene's case had merit. Amazingly, in spite of the fact that both an independent arbiter and the Fort Worth police agreed that the charges against Greene had been trumped up,

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<sup>23</sup> Dee Greene to PCGC, November 16, 1956, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; and O. D. Wright to Harold Levy, February 4, 1957, Folder 9, Box 28, District 776 Papers.

Air Force investigators quickly concluded that General Dynamics was not guilty of discrimination. According to a report addressed to the Air Force's Deputy Chief of Staff, the investigator based this conclusion on two observations: first, that three other African Americans were employed in the transportation department alongside Greene, and second, that the departmental foreman denied ever telling these men that they would not make it under his supervision. Given that this report was eventually accepted by the PCGC, clearly the threshold for proving discrimination was set extraordinarily high.<sup>24</sup>

Despite the disappointing conclusion that they reached in the matter of Greene's dismissal, military investigators were not as quick to dismiss Seidenberg's broader charges regarding the lack of African Americans in skilled jobs at General Dynamics. During the course of their fact-finding mission, Air Force officials uncovered evidence that the problem of employment discrimination had its roots beyond the company's personnel department in the publically funded offices of the state employment service. As the largest employer in the area, General Dynamics had a seemingly insatiable demand for labor that could only be filled through heavy dependence on the placement services of the Texas Employment Commission (TEC). Of course, like so much else in southern society, the TEC was a thoroughly segregated enterprise. Not only were blacks and whites processed separately, but because the office that handled applications for clerical and professional personnel only accepted materials from whites, those African Americans who did manage to obtain some form of higher education found that they were limited to whatever blue collar jobs the TEC's white staff members offered them.

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<sup>24</sup> Jacob Seidenberg to Robert C. Lanphier, Jr., December 27, 1956, Folder 9, Box 28, District 776 Papers; and Col. M. J. Wetzel to Air Force Deputy Chief of Staff, February 25, 1957, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8.

This invariably translated into menial labor since, as one investigator reported, TEC officials “stated that Negroes in the area have very little technical experience to offer in the skilled categories.” As if this were not bad enough, many observers also claimed that such practices were the result of a *quid pro quo* between the TEC and General Dynamics. “Obviously,” reported the UAW’s regional director for fair employment, “there exists a gentlemen’s agreement between the Texas Employment Commission and the managements of these plants that when Negroes apply for work at the [TEC] they are not to be referred to any job opening listed by the companies with the [TEC] except janitorial occupations.” Faced with these disturbing facts, Air Force officials advised that “a study should be made concerning the availability and qualifications of colored people in this area” before any definitive statement could be offered on how to approach the problem.<sup>25</sup>

Since local NAACP officials were still straining under the legal shackles forged for them by the Texas attorney general’s office, Air Force investigators were forced to turn to a different source for help in gathering the information they needed. Although its size and influence was much less than that of its better-known counterpart, the National Urban League (NUL) was more than willing to step into the breach and take up the case of black aircraft workers. Led locally by executive secretary Velma McEwen, the NUL considered itself to be a social service organization and focused its resources on racial uplift rather than legal challenges to the status quo. Since 1951 McEwen had worked with various Fort Worth employers in an effort to quietly expand the job opportunities

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<sup>25</sup> “Alleged Discrimination Case at Convair, Fort Worth, Texas, Air Force Plant No. 4,” n/d, Folder “Convair Aircraft-Fort Worth, Texas, #236,” Box 10, RG 220.8; Col. M. J. Wetzel to Air Force Deputy Chief of Staff, February 25, 1957, *ibid*; and “Report Summary of Activities, UAW-CIO Fair Practices and Anti-Discrimination Department to the International Union Officers and Executive Board Members, March 1953-July 1954,” July 30, 1954, Folder 38, Box 55, UAW Fair Practices Collection.

available to African Americans. By the time Air Force officials recommended making a broader study of the area's labor market, McEwen had already prepared a long report outlining the underutilization of black manpower. Among the area's 50,000 African American workers, this report indicated that at least 451 men had obtained advanced training that would qualify them for skilled positions on the shopfloor at General Dynamics, while another 122 women were taking courses hoping to enter the company's white collar workforce. Despite their obvious availability, however, each and every one of these skilled black workers was engaged in unskilled labor. The problem, McEwen concluded, was not limited to one firm or government agency but was instead deeply engrained throughout the entire structure of the area's hiring practices. "Many Negro applicants who apply for jobs at the [Texas Employment] Commission are told that employers do not have openings for them," McEwen insisted. "This is particularly true with skilled jobs at Convair and other leading industrial plants that depend on the Commission to find employees."<sup>26</sup>

Though McEwen herself admitted the difficulty of convincing black workers to offer testimony that might help substantiate such charges, legal depositions taken in later years upheld her claims to the PCGC. Hired as a janitor in 1951, Monroe Merritt insisted that African Americans at that time had no choice but to take low-skill jobs while whites

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<sup>26</sup> Reby Cary, *Bringing the Past into Focus: Black's Sheaves in Fort Worth and the Inner City Ring* (Fort Worth: privately printed, 2006), 172-73; "Facts," n/d, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; and Velma McEwen to Joseph Houchins, August 19, 1957, *ibid.* On the NUL's various national campaigns to secure jobs for African Americans, see Jesse Thomas Moore, Jr., *A Search for Equality: The National Urban League, 1910-1961* (University Park: Pennsylvania State University Press, 1981), 128-41, 145-49, 168-75; and Guichard Parris and Lester Brooks, *Blacks in the City: A History of the National Urban League* (Boston: Little, Brown & Co., 1971), 358-60, 386-94.



with no more experience or education (and in many cases less) were offered better-paying positions on the flight line. “I was a janitor for sixteen years and when I was promoted to oiler they didn’t give me any special training,” Merritt claimed. “If I was qualified to be an oiler after I was there sixteen years, I was qualified to be an oiler...the first day I started.” Such discriminatory treatment was also meted out to African Americans with skills relevant to aircraft work. By the time Sam Leach interviewed at General Dynamics in 1950 he had already spent time working in the metal trades, first as a coppersmith and later as a welder for the railroads. Both of these jobs more than qualified him for the types of fabrication and assembly work that was performed on the company’s production line, yet for the first decade of his employment Leach’s skills were wasted as common labor. Even when Leach did finally receive a promotion in 1960, it was only to the marginally skilled position of chemical process worker, a job that still did not make full use of his talents.<sup>27</sup>

Of course, hiring discrimination was but one of many ways that companies such as General Dynamics discriminated against black workers. Leach’s experience, in particular, pointed to another form of on-the-job inequality that was rampant throughout the Fort Worth aircraft industry, promotional discrimination. Upholding McEwen’s claim that African Americans were concentrated overwhelmingly in the lowest classifications, nearly every witness who came forward insisted that they were completely overlooked when it came to upgrades. As laborer Alton Blanton later recalled, even the most minor promotions required black workers to spend months and

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<sup>27</sup> Velma McEwen to Jacob Seidenberg, August 16, 1957, Folder “Convair Aircraft-Fort Worth, Texas, #236,” Box 10, RG 220.8; Deposition of Monroe Merritt, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.* (1974), 11; and Deposition of Sam Leach, October 7, 1977, Box 4, *ibid.*, 8-11.

sometimes years trying to convince their foremen that they were capable of performing a particular job. When Blanton himself first considered moving into transportation work during the mid-1950s, his white supervisor was not shy about offering his biased opinion of the situation. “I asked him about the truck driving job and he said, ‘That’s a white man’s job and I’m not going to stick my neck out for you,’” Blanton remembered. “If I live to a hundred and twenty years, I won’t forget that.” Fellow employee King Barker Brackeen had a similar experience when he and a group of black janitors approached General Dynamics about transferring into more skilled departments during the PCGC years. Although company officials told the men that it would be receptive to offering some type of training, Barker claimed that their many attempts to secure this promised course were all ignored. The most galling thing was that whites were almost always promoted without such classes. “See, most of the whites [who] came out, they didn’t have no more aircraft training than I did,” Barker recalled, “but they took those people and put them with experienced men and they went on.”<sup>28</sup>

Confronted with such evidence and McEwen’s detailed exposé of their discriminatory employment practices, officials at General Dynamics attempted to pass the buck by arguing that both the union and African Americans themselves prevented the company’s full compliance with the PCGC’s program. Though he provided no evidence to support the claim, Fort Worth division manager August Esenwein contended that he could not upgrade large numbers of African Americans “because he would have opposition from the union and the possibility of a work stoppage.” Esenwein also

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<sup>28</sup> Deposition of Alton Blanton, November 30, 1977, Box 5, *EEOC vs. General Dynamics, et al.* (1974), 29; and Deposition of King Barker Brackeen, October 10, 1977, Box 5, *ibid*, 24.

pointed out that the company had offered upgrades to many of its black maintenance workers but was rebuffed “for the simple reason [that] they would be vulnerable in the event of a layoff under the bumping policy in the plant with no privilege of returning to their former position.” While General Dynamics was busy blaming its record on the victims of this discrimination, TEC officials did a little shuffling of their own by arguing that the aircraft companies and other Fort Worth employers had made it impossible for the agency to do away with the inequitable practices it was accused of using. It was an exercise in futility, the TEC claimed, to recommend African Americans for skilled positions when employers had no intention of hiring them into any but unskilled jobs. “No matter how much or how little the [TEC] may agree with the principle involved,” one Commission representative argued, “neither they, nor any other employment service, has the authority to compel an employer to hire without regard to race, creed, color, or national origin.” TEC officials assured the PCGC that they would have referred all qualified black workers if only they themselves had been told that General Dynamics had a non-discrimination policy.<sup>29</sup>

The PCGC’s response to these charges and countercharges was characteristically timid. Nearly one year after issuing instructions for an investigation, Seidenberg took the next step in November 1957 by requesting that the Department of Defense direct General Dynamics to make all of its employment decisions on a non-discriminatory basis and to inform its recruitment sources that all referrals should be made regardless of race. Hoping to keep pressure on the company, Seidenberg also asked General Dynamics to

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<sup>29</sup> “Statement Concerning Convair,” February 6, 1957, Folder “Convair Aircraft-Fort Worth, Texas, #236,” Box 10, RG 220.8; and A. W. Motley to Jacob Seidenberg, October 21, 1957, *ibid*.

submit a report in three months outlining the steps that had been taken to secure compliance and providing statistics on the racial makeup of the plant's workforce.<sup>30</sup> Presented to the PCGC in March 1958, this report was little more than a carefully crafted excuse designed to deflect further criticism away from the company and justify its unwillingness to comply. Divisional contract manager T. J. Sullivan began by insisting that General Dynamics maintained no records as to the race, religion, or national origin of any person and that this policy had been communicated to its own staff as well as the TEC's numerous times. This affirmative praise for company policy quickly turned into defensive posturing, however, when Sullivan attempted to grapple with the dearth of skilled black workers. Repeating the same argument that had already been used by other company officials, Sullivan insisted that African Americans in Fort Worth simply lacked the initiative to take advantage of the company's non-discrimination policy. For proof of this, he pointed to the much higher percentage of skilled black workers at General Dynamics's numerous plants in California. "This is due," Sullivan maintained, "to the willingness of the employees themselves to advance their own status in the California plants [and to] the customs of that region as well as the qualification which the employees and applicants for employment in that part of the country possess."<sup>31</sup>

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<sup>30</sup> Seidenberg's request for statistics on the racial composition of General Dynamics's workforce was part of a larger effort begun by the PCGC in its final years. Recognizing that government agencies were neglecting their anti-discrimination responsibilities, committee members instituted a survey of the nation's largest contractors in order to collect data that might be of use in enforcing the executive order. See Seidenberg, "The President's Committee on Government Contracts."

<sup>31</sup> Jacob Seidenberg to Perkins McGuire, November 21, 1957, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; and "Summary of Information Discussed with Mr. Joseph B. Gertken, SAAMA, Messrs. Senter and Watkins, Office of the AFPR, and Messrs. Esenwein, Budros, and Sullivan, Convair, in Meetings on March 19, 1958," March 20, 1958, *ibid.*

As condescending as this “defense” was, it paled in comparison to the even less cooperative attitude displayed by General Dynamics with regard to ways that it might resolve this discrimination. In his initial communications with the PCGC, Sullivan made very clear that the company had no intention of reaching out to African Americans or any other historically disadvantaged community. “Convair can only deal with the personnel in its employ and with people who apply to it for employment,” he argued. “It cannot...go out to the population at large and insist that people other than those who voluntarily apply for employment enter its employ. It cannot undertake a free training program to equip unskilled people for work in the aircraft industry.” Furthermore, Sullivan also insisted that General Dynamics had no intention of instituting any in-plant training programs for its black employees until it exhausted the large pool of skilled aircraft labor already in Fort Worth. To put the final point on this defiance, Sullivan concluded his report by insisting that General Dynamics could not provide statistics on the racial composition of its workforce because it did not keep these records. “Exclusion of such information is specifically in accordance with Convair’s understanding of the government’s Equal Opportunity Policy,” he maintained. “Consequently, Convair has no means by which it could furnish a breakdown of its workforce...[nor] would Convair be willing to set up the means for furnishing such information since it is considered by its nature contrary to the company’s own policy.”<sup>32</sup>

Incredibly, General Dynamics’s stubborn defiance seems not to have elicited any significant condemnation from either the PCGC or the various governmental investigators who were offering it their assistance. In fact, in their report on the situation,

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<sup>32</sup> “Summary of Information Discussed with Mr. Joseph B. Gertken...,” March 20, 1958, Folder “Convair Aircraft-Fort Worth, Texas, #236,” Box 10, RG 220.8.

Air Force and Department of Defense officials jointly concluded that General Dynamics was technically in compliance with the letter of the executive order insofar as its hiring policies, employment applications, advertisements, and training programs contained no discriminatory references to race. Though these investigators were somewhat more persistent concerning the PCGC's request for racial statistics, they made no attempt to force the issue when General Dynamics continued to adamantly dismiss their requests for such information. In response to a second appeal from Air Force officials for a statistical breakdown of the workforce, division manager Esenwein bluntly maintained that it was impossible to obtain such information from its employees due to the tensions it would create between black and white workers in Fort Worth. "[Such an inquiry] would give rise at once to innumerable questions on the part of both groups with resulting unrest, disturbance, and suspicion as to the motives and purposes for which the information would be used," Esenwein insisted. "It could well disrupt completely the good relations we have enjoyed with all groups as well as interrupt work on our important Air Force contracts."<sup>33</sup>

That one of the nation's largest defense contractors was willing to so brazenly thumb its nose at both the PCGC and the contracting agencies cooperating with it speaks volumes about the federal government's commitment to equal employment during the 1950s. Fully aware that the committee lacked the will to cancel its contracts, General Dynamics had little reason to fear that its resistance would lead to any repercussions. Ironically enough, the Fort Worth case came about at a time when PCGC officials were

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<sup>33</sup> "Report of Investigation: Compliance with Nondiscrimination Program-Convair," n/d, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; and August Esenwein to Col. J. J. Treacy, May 19, 1958, *ibid*.

scrambling to beef up their investigations and secure more substantial accomplishments. With the end of Eisenhower's presidency looming, Seidenberg and his staff concluded in July 1959 that the PCGC would henceforth have to concentrate its efforts on specific cases deemed to have the most potential for wide-ranging success. General Dynamics's sheer size and uncooperative attitude combined to make it a prime candidate for what Seidenberg described as "personalized treatment" by the committee to secure more jobs for African Americans.<sup>34</sup> Unfortunately, this militant rhetoric proved to be exactly that. Enlivened or not, the PCGC was still limited to what could be accomplished through cautious cajoling and toothless investigations. Lacking any other options, the PCGC attempted to appeal its case to General Dynamics's corporate chairman Frank Pace, but he simply referred the matter back to division vice president R. H. Biron who in turn offered the same worn-out excuses for the plant's lack of compliance. Equally disappointing was the trip made by Joseph Houchin to Fort Worth in July 1959. As the PCGC's director of compliance, it was hoped that Houchin's presence might be enough to secure General Dynamics's cooperation; instead, his visit and the report that it generated did little more than punch a few slightly larger holes in the aircraft manufacturer's excuses while once again confirming what the PCGC already knew about the company's refusal to comply. Regarding the argument that African Americans lacked the initiative to seek out more skilled positions, Houchin claimed that this was merely a by-product of them knowing in advance that the deck was stacked against them. "In light of this," he argued, "the company must give the minority community a new image of itself before Negroes apply freely for employment outside of the traditional

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<sup>34</sup> Irving Ferman to File, July 17, 1959, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8.

occupations.” Houchin also saw through General Dynamics’s fear of labor unrest and insisted that not only was management in charge of hiring but there was no recorded instance where integration under the executive order had resulted in a work stoppage.<sup>35</sup>

Revealing though it may have been, Houchins’s report did little to move the PCGC any closer to a solution. As had been the case throughout its life, the desperate committee ultimately had to settle for a handful of minor concessions secured through informal channels. Shortly after Houchins’s report was submitted, Seidenberg and PCGC executive vice chairman Irving Ferman secured an audience with General Dynamics’s president of personnel, Allen Marshall. After assuring the pair that the company had no inclination to disobey the presidential order, Marshall maintained that the problem was one of carrying out such a program in a way that “[would] not upset the community mores.” Recognizing this as the same old dodge, Seidenberg brushed off the argument by pointing out that other companies in the Fort Worth area had cooperated with the PCGC without any apparent trouble. Though it entailed substantial prodding, Marshall finally agreed that he would contact division president Biron and request that the Fort Worth plant look into immediately hiring a small number of African Americans as clerical workers. Not surprisingly, when Seidenberg called on Biron several days later to follow up, he was told once again that the community was unsupportive of integration and disturbances would likely arise if any great efforts were made to achieve it. This disappointment quickly turned into hopefulness, however, when Biron agreed to accept the PCGC’s technical assistance in opening up the company’s white collar workforce.

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<sup>35</sup> Maj. Gen. C. E. Ryan to R. H. Biron, October 8, 1958, Folder “Convair Aircraft-Fort Worth, Texas, #236,” Box 10, RG 220.8; R. H. Biron to Maj. Gen. C. E. Ryan, October 14, 1958, *ibid*; and Joseph Houchins to Irving Ferman, July 31, 1959, *ibid*.



Less than a month later, Ferman reported back to Seidenberg that General Dynamics had in fact fulfilled its pledge and hired two black women into its industrial relations and accounting departments following an exhaustive recruitment campaign in the area's high schools. Even more surprising, the company had instituted some type of job orientation program, presumably among its white collar workers, that included the desegregation of restrooms and other facilities as one of its goals. Belying the predictions of Biron and other General Dynamics officials, Ferman gave no indication that this activity had led to any disruptions.<sup>36</sup>

General Dynamics's decision to hire a single pair of African American secretaries was a decidedly anticlimactic conclusion to the PCGC's three-year struggle with the aircraft manufacturer. Faced with an uncooperative management team, the committee's staff members not only accepted a blatantly token compromise but also completely gave up on adjusting the much broader complaint about the company's unwillingness to place black aircraft workers into skilled positions on the shopfloor. Perhaps even worse, the attention paid by the understaffed PCGC to this single plant served to distract it from what was in fact a larger problem among all of the area's aircraft manufacturers. Though African Americans at other local facilities never filed formal complaints, the PCGC's own surveys clearly showed that they had adequate cause to do so.<sup>37</sup> At Bell Helicopter, for example, there was not a single black worker on a payroll consisting of roughly 3,000

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<sup>36</sup> Irving Ferman to File, August 3, 1959, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; Jacob Seidenberg to File, August 5, 1959, *ibid*; and Irving Ferman to File, August 31, 1959, *ibid*.

<sup>37</sup> The only other formal complaint received by the PCGC was from a white Chance Vought employee who maintained that he had been fired because of his membership in the Seventh Day Adventist church. For information on this case, see Folder "Complaint Case Files-Chance Vought," Box 7, RG 220.8.

employees during 1957 or 1958. Over the next two years, the company did gradually hire several dozen African Americans, but as was the case at General Dynamics, they were concentrated in unskilled classifications. Notwithstanding the PCGC's earlier success at Chance Vought, the committee's failure to follow up here led to a marked deterioration of conditions as African Americans slipped from 4.8 percent of the plant's total plant workforce in 1953 to less than 1 percent by the end of the decade. Of the sixty-one black workers on Chance Vought's payroll in 1960, fifty-seven were classified as unskilled.<sup>38</sup>

Besides its implications for the cause of equal employment in the area's aircraft plants, the PCGC's failed campaign at General Dynamics also had significant repercussions for the civil rights organizations serving the black community. As noted above, Velma McEwen and the local NUL deserve a great deal of credit for helping bring conditions in the aircraft plants to the attention of the PCGC. Unfortunately, McEwen's campaign for workplace justice also served to spotlight her organization at a time when white southerners were already aroused against civil rights activists. Shortly after the historic *Brown vs. Board of Education* decision in 1954, a white supremacist group calling itself the National Citizens Protective Association (NCPA) launched a nationwide smear campaign designed to undermine the NUL and other organizations that supported

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<sup>38</sup> "Comparative Analysis—Occupational Breakdown by Race: Bell Helicopter," n/d, Folder "Comparative Analysis Summaries-Texas," Box 4, RG 220.8; and "Comparative Analysis—Occupational Breakdown by Race: Chance Vought," n/d, *ibid.* Because General Dynamics never submitted the surveys requested by the PCGC, it is difficult to say with certainty how many African Americans the company employed. According to a handwritten note attached to a memo prepared by Joseph Houchins, however, the total number of black workers in 1959 had fallen significantly from the five hundred reported to be working in 1957. See Joseph Houchins to Irving Ferman and Jacob Seidenberg, July 24, 1959, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8.

civil rights. Focusing on the fact that most of the NUL's local branches were subsidized by contributions from community chests, NCPA propaganda assailed the contributors to these philanthropic funds for indirectly supporting "subversive" integrationist organizations. Typical of this assault was the following excerpt from a pamphlet entitled "Community Chests Support Race-Mixing":

Every white citizen should contact the Chest or United Fund in his locality and demand that it stop supporting the race-mixing activities of the Urban League. Ask your Chest to publically announce that it will not give any more money to the Urban League. Any Chest which supports the Urban League is not worthy of one cent from any self-respecting white American.<sup>39</sup>

Dismayed by these attacks, both national and local NUL leaders urged their long-time benefactors to see through this blackmail, but more often than not their entreaties fell on deaf ears. In cities across the South, community chest organizers responded to the NCPA's venomous campaign by withdrawing their funding from the NUL, thus forcing many local chapters to retreat from public view and cut back programs.<sup>40</sup>

Sadly, the white citizens of Fort Worth were no more immune to this hateful rhetoric than their counterparts in other areas of the county. The NCPA's anti-integration drive first drew the attention of local media in the fall of 1956 when a number of employees at General Dynamics stopped or threatened to stop their payroll contributions to the local community chest (which was known in Fort Worth as the United Fund) unless the NUL was dropped from its rolls. Although estimates varied as to how widespread this protest was—one employee swore that 85 percent of the plant's workforce was already withholding donations, while another source claimed that fewer

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<sup>39</sup> "Community Chests Support Race-Mixing," n/d, Folder 7, Box 3N160, *Texas vs. NAACP* Records.

<sup>40</sup> Moore, *A Search for Equality*, 182-83; and Parris and Brooks, *Blacks in the City*, 366-68.

than two hundred workers had actually withdrawn—United Fund president O. G. Carlson nevertheless took the matter very seriously. Carlson tried to minimize the damage by pointing out that that no more than 1 percent of the money collected by the United Fund was ever donated to the NUL and that all recipients were thoroughly investigated to insure that they met the highest community standards, but these assurances were not enough to quell the discontent. After General Dynamics itself threatened to boycott the 1956 campaign, the United Fund dropped the NUL from its list of aid recipients.<sup>41</sup> Coinciding with McEwen's first attempt to reach out to the PCGC, this episode not only pulled the rug out from under her nascent crusade for equal employment but also severely weakened the local NUL chapter for years to come.<sup>42</sup>

Although the NCPA-inspired financial protest does seem to lend credence to the fears that General Dynamics had expressed regarding the possibility of conflict between rank-and-file black and white workers, it reveals little about the attitudes of organized labor toward employment discrimination or the work of the PCGC. As noted above, management at General Dynamics had gone out of its way to place the blame for

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<sup>41</sup> While there is no indication that it was accompanied by any other disruptive shopfloor action, the NCPA-inspired financial protest among General Dynamics's employees seems to have been the source of the company's concerns about conflicts between black and white workers when it was faced with the PCGC's investigations. Ironically, the United Fund would later report that Convair and Bell employees contributed more to its 1956 campaign than they had in previous years. See "Urban League Dropped from United Fund," *Fort Worth Star-Telegram*, May 10, 1957.

<sup>42</sup> "Convair Gifts to UF Cut in Racial Protest," *Fort Worth Star-Telegram*, September 9, 1956; Reby Cary, *How We Got Over! Update on a Backward Look: A History of Blacks in Fort Worth* (Fort Worth: privately printed, 2005), 71-72; and Cary, *Bringing the Past into Focus*, 173. The damage done to the local NUL chapter by the NCPA furor was most clearly revealed in the fact that McEwen resigned her position as local executive secretary less than a year after it surfaced. See "Miss Velma T. McEwen Will Resign Post November 1st for New York Position," *Fort Worth Mind*, Sept 27, 1957.

discrimination in the plant squarely upon the shoulders of IAM District Lodge 776. Even as the PCGC's investigations concluded that the company had done nothing to improve the situation for African American aircraft workers, division vice president Biron continued to insist that General Dynamics could make great strides if only the union would drop its opposition to black promotions. Officials at Bell Helicopter made similar assertions, insisting that the UAW unions with which they bargained would "strongly resent" any attempt to investigate the racial composition of its workforce.<sup>43</sup> Given that these managerial charges ran up against the inconvenient fact that none of the articles dealing with the United Fund boycott gave any indication that the protesters were union members, the question then becomes whether or not they were true. Were company officials indeed correct to label local aircraft unions as the source of inequality in the plants, or did organized labor act as an independent, progressive force on behalf of its black members?

As had been the case since aircraft unions were first introduced into Fort Worth in the early 1940s, the answer to this question seems to lie somewhere between the two extremes. To begin with, the accusations hurled by the aircraft manufacturers depended upon a rather disingenuous presentation of local union contracts to PCGC officials. First and foremost, no matter how much they insisted that workers would oppose the placement of African Americans into higher classifications, both General Dynamics and Bell retained sole authority when it came to hiring and making transfers between departments. This latter power was especially important for African Americans given

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<sup>43</sup> Jacob Seidenberg to File, August 5, 1959, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; and John Finn to Chief of Dallas Air Procurement Division, November 19, 1959, Box 9, Folder "Bell Helicopter Corp.," *ibid.*

that they were almost always confined to a small number of low skill departments and could therefore only count on their seniority to be useful in a limited number of jobs. By refusing to promote black workers into more skilled departments with a greater range of positions, management effectively perpetuated a system of employment discrimination that began in the personnel office. Although the negotiators for Local 218 came closest to undermining this system with a stipulation that required Bell to make seniority the sole determining factor in 75 percent of the transfers it made during any three month period, neither they nor their counterparts at District 776 were able to gain language requiring all transfers and promotions between departments to be based solely on the objective criteria of seniority. This meant, of course, that the onus for any transfer discrimination practiced against black workers belonged to management alone.<sup>44</sup>

A similar misrepresentation of the contractual relationship between aircraft labor and management was the assertion by General Dynamics that African Americans did not accept upgrades because doing so would mean forfeiting their accumulated seniority. There were, unfortunately, a number of ways that employees could be deprived of their

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<sup>44</sup> Article VIII, "Agreement between Convair, A Division of General Dynamics Corporation (Fort Worth), and IAM Aeronautical Industrial District Lodge No. 776," April 16, 1956, Folder 4, Box 2, Collection AR 122, International Association of Machinists and Aerospace Workers District Lodge No. 776 Papers, University of Texas at Arlington Special Collections (hereinafter cited as O. D. Wright Papers); and Article IX, "Agreement between Bell Helicopter Corporation and UAW United Local 218," March 2, 1959, Folder "Bell Helicopter Corp.," Box 9, RG 220.8. On the use of departmental seniority as a discriminatory tactic by unions in other southern industries, see Minchin, *Hiring the Black Worker*, 60-61, 151-53, 244-46; Minchin, *The Color of Work*, 8, 146-47, 163-80; Lewis-Colman, *Race against Liberalism*, 18-19, 58-60; Bruce Nelson, *Divided We Stand: American Workers and the Struggle for Black Equality* (Princeton, NJ: Princeton University Press, 2001), 206-09, 235-42; Judith Stein, *Running Steel, Running America: Race, Economic Policy and the Decline of Liberalism* (Chapel Hill: University of North Carolina Press, 1998), 44-58; and Robert Norrell, "Caste in Steel: Jim Crow Careers in Birmingham, Alabama," *Journal of American History*, 73 (December 1986), 669-694.

seniority rights. The most frequently complained about was the loss of seniority due to extended layoff. This problem was so bad, in fact, that in June 1954 district president Floyd Garrett received a letter from a laid off member threatening to sue the union unless it managed to regain his job and seniority. Normally such individual pressure would not have been too worrisome, but this particular member insisted that he had the support of “lots of the boys” who had been treated similarly.<sup>45</sup> If these protests were an accurate indication of how strongly the membership felt about their seniority rights, they also somewhat unfairly chastised the union. As outlined in Chapter 2, District 776 had been on record since at least 1947 as favoring a more expansive form of plant-wide seniority in order to better insulate its members from the frequent layoffs that plagued aircraft manufacturers. More importantly, the union had managed to gain contractual language guaranteeing all employees the right to carry their accumulated seniority from one department to another after a short probationary period (usually thirty-five days). By the time the PCGC began its investigations in the Fort Worth area, in fact, these protections were so secure that an independent arbiter concluded that District 776 had one of the strongest seniority systems he had seen in a large manufacturing plant. While these agreements did not do much to protect the rights of employees who were laid off for extended periods of time, they did provide workers, both black and white, with assurances that their seniority would not suffer if and when they managed to gain entry into more skilled departments. The fact that Dee Greene, a thirteen-year veteran of the plant, accepted General Dynamics’s offer of a transfer into the transportation department

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<sup>45</sup> T. D. Conaway to Floyd Garrett, June 17, 1954, Folder 3, Box 17, District 776 Papers.

alongside a number of other senior black workers without any apparent reservation offers perhaps the best argument for dismissing management's claims regarding the contract.<sup>46</sup>

Further evidence of these managerial distortions could also be found in the agreements negotiated between Local 218 and Bell. In many ways, the UAW contract actually offered advantages to black workers in low skill positions who wished to seek out transfers and upgrades. Unlike those of its counterpart at Convair, Local 218's contract did not stipulate a single probationary period for all upgrades. Instead, it required that the length of time before an employee could transfer his seniority to a new position was to be determined by the skill level of the worker. In other words, because his job required more expertise and had a greater impact on the company's production record, someone who was classified in a highly skilled position such as tool and die maker would be required to complete a longer probationary period after an upgrade than some other worker who was employed as a janitor or laborer. Because the most skilled positions at Bell were held by whites, this stipulation served as an extra incentive to African Americans in unskilled classifications. Though it is unlikely that Local 218 officials intended for this agreement to favor low-skill workers, the effect was all the same. The rub, of course, was that Bell still retained the exclusive right to determine who was transferred, and this usually meant that black workers were overlooked.<sup>47</sup>

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<sup>46</sup> "Statement Concerning Convair," February 6, 1957, Folder "Convair Aircraft-Fort Worth, Texas, #236," Box 10, RG 220.8; "Arbitration Case No. 370, Voluntary Transfers," February 2, 1956, Folder 14, Box 24, District 776 Papers; and Article VIII, "Agreement between Convair...and IAM Aeronautical Industrial District Lodge No. 776," April 16, 1956, Folder 4, Box 2, O. D. Wright Papers. On the negotiation of seniority rights, see Chapter 2.

<sup>47</sup> Article IX, "Agreement between Texas Division of Bell Aircraft Corporation and UAW Local 218," January 17, 1955, Box 6, Unprocessed mss., Accession 91-42, UAW Local 848 Papers, University of Texas at Arlington Special Collections.



In order to more properly judge the role played by the aircraft unions during the PCGC's investigations in Fort Worth, it is necessary to move beyond company accusations to consider the IAM and the UAW from the perspectives of union members and local leaders. Throughout the 1950s, but especially in the wake of the *Brown* decision, an ideological gap began to divide these two groups throughout the South. For a number of union leaders, support for the civil rights movement or at least passive acceptance of its existence was a matter of political expediency; after all, the people advocating massive resistance were usually the same ones calling for right-to-work laws and further restrictions on organized labor. Many white union members, on the other hand, failed to recognize this strategic convergence of interests and instead believed that civil rights protest was designed to undermine their economic and social privileges in and outside the factory. According to historian Alan Draper, "These competing visions of the interests of white workers...one desperate to create a class-based party system that included blacks, the other determined to preserve a caste-based party system that excluded them, created an explosive tension within the southern labor movement."<sup>48</sup>

This tension was clear to see in the way that national officers of the IAM and UAW approached the issue of civil rights when dealing with their southern locals. Although both IAM president A. J. Hayes and UAW president Walter Reuther were known for their relatively progressive positions on race relations, the far-reaching legal decisions of the mid- to late-1950s and the growing militancy of civil rights activists led these men and their staff to tread cautiously. In the IAM's case, this meant professing support for the general principle of civil rights while simultaneously distancing itself

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<sup>48</sup> Draper, *Conflict of Interests*, 15-16.

from the more controversial aspects of the developing movement. This position was best articulated by the editors of the weekly rank-and-file newsletter *The Machinist* in their summary of action taken at the union's 1956 convention:

[The delegates] strongly reaffirmed Union's position that everything should be done to "raise the economic, social, and cultural standards of all members and their families regardless of the area in which they live, or regardless of race, creed, color, or religions." Called for accomplishing the program "through the application and use of trade union principles without becoming involved in any of the current controversy regarding the integration decision of the Supreme Court."<sup>49</sup>

In order to avoid "current controversy," the IAM's executive council also began offering a cooler reception to the various civil rights organizations with which it had earlier cooperated. Thus, for example, in September 1957, Hayes and the rest of the council rejected a proposal by NUL field secretary J. Carlton Yeldell that their two organizations draft a formal agreement of cooperation in order to help African Americans secure more jobs. The minutes for this meeting dispassionately explained "that in view of the IAM's record of recruiting members regardless of race, creed, or color, and according them equal membership, there was no need for an agreement with the National Urban League." This same executive session also refused an invitation from baseball legend Jackie Robinson to contribute to the Freedom Fund, an annual campaign that raised money to support the NAACP.<sup>50</sup> If these actions did not exactly indicate that the IAM was withdrawing its support from the cause of civil rights, they did make it apparent that

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<sup>49</sup> "Here's Summary of Major Decisions by '56 Convention," *The Machinist*, September 20, 1956.

<sup>50</sup> "Proposed Agreement with National Urban League," n/d, Folder "Council Minutes, September 4-12, 1957," Box 35, Collection No. L1992-14, International Association of Machinists and Aerospace Workers Records, Southern Labor Archives, Georgia State University, Atlanta; and "Freedom Fund Campaign-1957," n/d, *ibid*.

Hayes and his staff were becoming wary of the public relations campaigns they had engaged in earlier in the decade to attract black members.

On the surface, the UAW seemed to remain much more consistent on civil rights. Even as the IAM began pulling away, the UAW expanded its relations with various civil rights organizations. In 1954, for example, the union donated some \$75,000 to the NAACP's Legal Defense Fund and submitted an *amicus curiae* brief in support of the Supreme Court's pending school desegregation decision. Reuther himself served on the NAACP's executive board and was active in the political lobbying efforts of the influential Leadership Conference on Civil Rights. The international office also worked hard for the passage of fair employment practice laws, eventually securing statutes in twelve different states by 1955.<sup>51</sup> In spite of these outward appearances, however, there was a great deal of dissension within the UAW's ranks over civil rights. Because his political power rested upon the support of the union's regional directors and many of these representatives were opposed to breaking down the nation's color line, Reuther was reluctant to force the issue. The UAW president's commitment also showed signs of wavering with his appointment of William Oliver to head the union's Fair Employment Practices Department. Though the appointment made Oliver one of the highest ranking African Americans in the union, he proved to be a rather unimaginative leader who was incapable of countering either the hostility of regional directors or the rank-and-file backlash that swept the region after *Brown*. As more and more firms began building facilities in the anti-union South during the 1950s, the Fair Practices Department chose to ignore the fact that newly organized locals often disregarded the UAW's civil rights

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<sup>51</sup> Boyle, *UAW and the Heyday of American Liberalism*, 109-13, 121; and Lewis-Colman, *Race against Liberalism*, 52-58.

policies. The result, black members complained, was that the international only took piecemeal steps to reform local racial practices and usually not in the places that needed it the most.<sup>52</sup>

As the UAW's experience demonstrates, the increasingly cautious racial positions taken by both the IAM and UAW's national leaders stood in stark contrast to the sometimes shameful levels of racism that were exhibited by their members on the local level. Many white union members throughout the South exhibited their discontent with the emerging civil rights movement by joining organizations such as the Citizens Councils and the Ku Klux Klan—one UAW local in Georgia actually included the Klan's imperial wizard as a member.<sup>53</sup> Although the situation in Fort Worth never got to this stage, the revolt against the United Fund and the NUL indicated that there was an undercurrent of opposition to civil rights among at least some of the area's white aircraft workers. This same discontent could also be seen in the realm of local union politics, which at General Dynamics were dominated by the white rank-and-file. Political survival was no doubt on the mind of District 776 president Harold Levy when he and his wife declined an invitation to attend a dinner honoring the local Urban League in 1955. Hailing from Convair's highly skilled tooling department, Levy had proven himself to be a very polarizing figure even before this invitation was received. Many members resented what they felt was Levy's overly confrontational attitude toward management, especially his tendency of personalizing conflicts, and warned him that he was risking his political future when he did this. Given this record and the growing discontent among

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<sup>52</sup> Boyle, *UAW and the Heyday of American Liberalism*, 113-18, 126-28; and Lewis-Colman, *Race against Liberalism*, 58-60.

<sup>53</sup> Boyle, *UAW and the Heyday of American Liberalism*, 126.

white southerners about civil rights, it was therefore not entirely surprising that Levy would seek to steer clear of the NUL dinner. Asked by General Dynamics's director of labor relations why he had declined the invite, the politically astute Levy replied that the requirements placed upon him "by the majority of our membership" prevented his acceptance of the invitation at that time.<sup>54</sup>

While it is easy to criticize Levy for taking such a forthrightly self-aggrandizing position, it is important to remember that there were real political consequences for union leaders who went against the wishes of their members. A good example of this was the minor furor caused when District 776 delegates voted to endorse the newly merged Texas state AFL-CIO council's moderate position on civil rights. After a lengthy discussion of the issue at the 1957 convention, delegates voted 4 to 1 to approve a statement that included language urging affiliates to take steps to provide equal job opportunities for all members regardless of race. Almost immediately, those IAM delegates who were present at the convention came under fire from local members upset about the resolution. Emblazoned with the headline "Are You in Favor of Integration?," a handbill began circulating among General Dynamics employees listing the names of every delegate who had supported the civil rights plank and asking readers whether this stance reflected the views of the membership. One of these delegates, O. D. Wright, maintained that he and the others were sneered at and referred to as "nigger-lovers" by various people throughout the plant. This mudslinging campaign apparently became so vicious that at least one business agent named in the flyer attempted to reassert his racial credentials by

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<sup>54</sup> "Meeting with Mr. Esenwein and Mr. Fred Chambers, December 6, 1955, 3:00pm, in the Convair Plant," December 7, 1955, Folder 9, Box 22, District 776 Papers. For a summary of rank-and-file opinions of Levy, see Anonymous to Harold Levy, March 6, 1955, Folder 13, Box 22, District 776 Papers.

pointing to his leadership of the pro-segregation Citizens Council in the town of White Settlement adjacent to the plant.<sup>55</sup>

Such anti-civil rights animus could also be found within the ranks of white union members at Bell Helicopter as well. According to former UAW Local 218 president Noy Sparks, in the early 1950s the union had managed to secure upgrades for a number of African Americans into the plant's transportation department. Sadly, the morning that these black workers began their new jobs they were greeted by a noose hung from a coat rack by some of the white employees in the department. "[On] the rack they had a sign that said something like this: 'Black man, don't come in here,' or something worse," Sparks recalled. Contrary to the company's oft-mentioned fears, rank-and-file protest never went any further than this one episode, but it nevertheless showed just how touchy such racial confrontations could be. For their part, Sparks and other Local 218 officials steadfastly supported the African American workers' bid for the transportation jobs and even attempted to secure further promotions into the electrical assembly department. According to UAW international representative H. A. Moon, a group of white and black members even went so far as to challenge those responsible for leaving the racist note to a fight that fortunately never took place. Behind this seemingly united front, however, Sparks admitted that even the grievance committee was divided on the issue of whether African Americans should be upgraded. In fact, one committee member actually

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<sup>55</sup> "Are You in Favor of Integration?," n/d, Folder 6, Box 3, O. D. Wright Papers; O. D. Wright Interview, October 22, 2008 (tape in the author's possession); and "Vote for L. L. Ballard for Business Agent," n/d, *ibid*; and Draper, *Conflict of Interest*, 98-99. For a detailed description of the merger convention's debates on civil rights, see "Merged Unions Tackle Race Problem," *Texas Observer*, August 9, 1957.

resigned in order to protest the local's position that all workers should be treated equally under the contract regardless of race.<sup>56</sup>

Together with the political discontent at General Dynamics, Sparks's recollection of this episode at Bell clearly reveals the influence that members' own racial prejudice could have on the decisions and political careers of union leaders. Given the attitude of white aircraft workers toward civil rights, it is unsurprising to discover that neither District 776 nor Local 218 ever put forth much effort to assist the PCGC in its investigations. In the absence of outside pressure from the committee, which had determined that union discrimination was beyond its jurisdiction, local IAM and UAW officials were simply unwilling to lead the charge for a strong anti-discrimination policy in their respective plants.<sup>57</sup> On the other hand, however, the harassment of black workers at Bell also demonstrated that there were definite limits to just how far union leaders would allow themselves to be pushed by rank-and-file racism. Despite clear opposition from the white transportation workers and at least one member of the grievance committee, Sparks and his fellow Local 218 officers nevertheless stood behind the black workers' promotion and insisted that the union must enforce the contract even though doing so risked upsetting the majority of white workers. "At that time the company refused to upgrade blacks," Sparks insisted, "I took the position that there was nothing in

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<sup>56</sup> Deposition of Noy Sparks, February 19, 1980, Box 4, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317* (1975), 22-23; "Report Summary of Activities, UAW-CIO Fair Practices and Anti-Discrimination Department to the International Union Officers and Executive Board Members, March 1953-July 1954," July 30, 1954, Folder 38, Box 55, UAW Fair Practices Collection; "'We Stand Up to It' UAW Man Tells Group," *Texas Observer*, August 2, 1957; and Boyle, *UAW and the Heyday of American Liberalism*, 117.

<sup>57</sup> Burk, *Eisenhower Administration and Black Civil Rights*, 100. The PCGC reached this conclusion based on the fact that unions were not legally parties to any government contracts and thus did not fall under the authority of E.O. 10479.

the contract to exclude blacks from being upgraded.” By focusing on the larger economic struggle between labor and management, practical union leaders such as Sparks were able to divorce themselves from the moral and social ramifications of civil rights to which so many white members were opposed. In an industry with such volatile labor markets and powerful corporations as aircraft manufacturing, any unanswered managerial abuse was likely to lead future misbehavior. In short, regardless of whether the parties affected were black or white, those running Local 218 simply could not allow Bell to run roughshod over the contract if they hoped to maintain any significant amount of bargaining power or protection for their members.<sup>58</sup>

The lengths to which Local 218 officials were willing to go in their colorblind protection of the economic rights of members can also be seen in the way they handled African American grievances. In early 1955, a pair of black laborers named A. G. Smith and C. L. Dobbins approached their UAW shop steward complaining that Bell was working them out of classification. For nearly two years, they insisted, they had performed the higher paid work of gardening without receiving the union-negotiated wages for their troubles. Recognizing that such disregard for the contract jeopardized all of their members, the union’s grievance committee quickly took up the case. When the company refused to budge from its position that it could use unskilled workers in any job it desired, the grievance was carried all the way to arbitration where the union was successful in securing a substantial amount of back wages for both men. While this episode might seem innocuous enough, the fact that Local 218 was willing to proceed to an expensive arbitration hearing on behalf of two African American laborers shows just

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<sup>58</sup> Deposition of Noy Sparks, February 19, 1980, Box 4, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 22.



how much importance local union officials placed on maintaining the integrity of their contractual agreements. In the rapidly shifting environment of the aircraft industry, any oversight could easily set a precedent whereby management could whittle away at the rights of all workers.<sup>59</sup>

This same pragmatic attitude also prevailed among the leaders of District 776. If those in charge of the white majority union were not always willing to take a proactive stance on civil rights beyond the plant gates, they went some way toward making up for this social neglect by strictly policing the contract against any and all managerial depredations. Although former board chairman Tom Girdler had taken his leave of Convair after World War II, the anti-union spirit he had fostered was still alive and well among General Dynamics' managers in the late-1950s. This antagonism was especially apparent in the realm of grievances. According to IAM business agent Sam Morris, General Dynamics' superior financial resources—much of which could be attributed to the Air Force's willingness to reimburse it for labor relations expenses—fostered an attitude that the company “cannot lose even though they lose cases.” As a result, grievances piled up and quickly became a sore spot for members.<sup>60</sup> Considered within this context, the case of Dee Greene takes on added significance. As outlined above, Greene had been among a small group of African Americans promoted into the transportation department, but he was soon fired after being wrongly accused of stealing money from a supplier. Immediately upon his release from jail, Greene approached the

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<sup>59</sup> “Arbitration Award, Case No. E-4, Grievance No. G-4161,” February 22-23, 1955, Folder 23, Box 23, UAW Aerospace Department Collection, Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University, Detroit, Michigan.

<sup>60</sup> Sam Morris to W. W. Fitzgerald, January 30, 1957, Folder 1, Box 30, District 776 Papers.

union and filed a grievance alleging that he had been wrongly terminated. Given that he had somewhat foolishly agreed to pay back the missing money if doing so would prevent him from being imprisoned, union officials could easily have refused to accept Greene's complaint. At a loss to understand why a man would accept responsibility for a crime he had not committed, district president Harold Levy did in fact consider this course of action. "[As] seriously and constant as Negroes are fighting for respect and to establish their position in their communities," Levy stated, "no Negro in his right mind would agree to make restitution for a theft which he was alleged to have committed and which he emphatically denies." Levy's misgivings notwithstanding, District 776 not only accepted Greene's case but pushed it all the way to an expensive arbitration hearing at a time when there was already a backlog of several hundred grievances. While it is not entirely clear how his complaint was presented to the arbiter, the fact that Greene ultimately prevailed in the hearing and was reinstated without any loss of seniority would seem to suggest that union representatives fought at least as hard as they did in similarly successful cases filed on behalf of white workers.<sup>61</sup>

Following his return to work, District 776 continued to offer Greene advice and assistance. Although a number of union officials believed that his on-the-job record did not warrant rehire, Levy made clear that the arbiter's decision was going to be strictly enforced. Business agent O. D. Wright also stood by Greene's side, warning that the company would be looking for ways to get rid of him and that he should be very careful about his behavior in the plant. Not surprisingly, this instinct proved correct and Greene was soon dismissed for allegedly falsifying his arrest record on the company's

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<sup>61</sup> Harold Levy to File, February 5, 1957, Folder 9, Box 28, District 776 Papers.

employment application. Approached once more for assistance, Wright offered his forthright evaluation of the situation. "I advised Mr. Greene that in my opinion he would not be able to win a grievance against his termination," the business agent reported. "However, I also advised him that I would file the grievance if he insisted even though I would not have confidence in winning it." Faced with this difficult choice, Wright maintained that Greene himself decided not to file a complaint.<sup>62</sup>

Initially, this decision seemed to bring an end to the case, but the matter was soon taken up again after Greene had a change of heart and wrote to the IAM's southern vice president Jesse McGlon asking for further assistance. Although the international union was already beginning to pull back from its more public pronouncements in favor of civil rights by this time, McGlon nevertheless ordered an investigation to insure that Greene's rights as an IAM member had been fully protected. Over the course of a week, district officials uncovered evidence about both Greene and the general state of employment among other African Americans in the transportation department. The most interesting report was filed by J. F. Dockstader, a committeeman who had represented Greene during his tenure as a truck driver. According to Dockstader, black workers enjoyed something of a favored status in the transportation department: not only did they occupy all of the highest classifications, but they were also supposedly situated above a number of whites with greater seniority. It was also discovered that Greene was prone to disciplinary problems, a fact resented by his fellow black coworkers who felt that this behavior cast them in a negative light. Faced with this evidence, Dockstader concluded somewhat contemptuously that "the colored man has been treated more fairly than the white

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<sup>62</sup> "Statement of Dee Greene to H. D. Levy," February 7, 1957, Folder 9, Box 28, District 776 Papers; and O. D. Wright to Harold Levy, February 4, 1957, *ibid*.

employee [in Department 20].” After looking deeper into the allegations against Greene and discovering that he did in fact have a criminal record which he had concealed from both the company and the union, Levy offered a similar assessment of the case. “This union has adequately protected the interests of D. Greene, giving him the same consideration that is given each and every employee under the same circumstances in the past,” he reported. “Our grievance procedure operates on facts, not color...[and] D. Greene was not discriminated against by anyone but D. Greene.”<sup>63</sup>

Regardless of the union’s actions on his behalf, the unemployed Greene likely found little comfort in Levy’s assessment of the case. For District 776 as for all economically minded industrial unions, results were what mattered. Coming on the heels of Greene’s failed grievance, the ultimately successful case of L. R. Daniels demonstrated once more the importance that District 776 officials accorded to upholding the contract even when doing so threatened to alienate the white majority. At about the same time that the PCGC was wrapping up its case against General Dynamics, Daniels—an African American laborer with fourteen years of service in the plant—filed a grievance alleging that he had been wrongly passed over for an upgrade to the position of equipment oiler. Instead of automatically upgrading Daniels based on his lengthy seniority as required by the contract, company officials chose to promote a white man who had only recently been hired into the maintenance department. No matter how much merit Daniels’s case had, the fact that it pitted a white worker against an African American would have presented a virtually untouchable situation for most southern union

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<sup>63</sup> Jesse McGlone to Harold Levy, January 30, 1957, Folder 9, Box 28, District 776 Papers; J. F. Dockstader to Harold Levy, February 5, 1957, *ibid*; and “Report of Investigation in the Case of D. Greene, February 8, 1957, *ibid*.”

leaders in the racially charged 1950s. Daniels himself recognized this dilemma and chose to circumvent the normal grievance procedure by taking his complaint directly to O. D. Wright, who by this time was serving as district president. Keenly aware of the racial controversy he risked unleashing, Wright insisted that the only issue that mattered was whether or not Daniels had the seniority and qualifications to perform the job. With this argument as their starting point, Wright and a rather reluctant business agent eventually took the case all the way to arbitration, where Daniels was eventually awarded the oiler job with full seniority and back pay in February 1960. After this victory, Wright claimed that most complaints filed by African Americans went right through the union's grievance committee without any problems.<sup>64</sup>

Impressive as Daniels's success was, neither this nor General Dynamics's belabored decision to humor the PCGC and open its white collar workforce had any significant impact on the economic condition of African Americans in Fort Worth. In the understated conclusion of industrial economist Herbert Northrup, "the major aircraft companies in the Dallas-Fort Worth area had made little progress in employing and upgrading Negroes" during the 1950s. For every black worker who emerged triumphant from the grievance procedure or managed to gain a job in the company's secretarial pool, there were hundreds of others who remained mired in low-skill jobs at the bottom of the aircraft industry's employment hierarchy. Local union leaders such as Noy Sparks and O. D. Wright might be willing to take a stand when the economic rights of their black members were violated, but they had neither the political capital nor the motivation to

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<sup>64</sup> O. D. Wright Interview, October 22, 2008 (tape in the author's possession); and "Case No. 526, L. R. Daniels, Dept. 25," February 19, 1960, Folder 2, Box 1, O. D. Wright Papers.

step out in front of such a volatile issue without strong leadership from a higher authority. And therein lay the ultimate weakness of the PCGC. As the product of an administration that was lukewarm on the issue of civil rights, the PCGC reflected this lack of leadership in each of the hundreds of industries that fell under its purview. Although chairman and Republican presidential candidate Richard Nixon made one last drive to invigorate the committee in the months leading up to the 1960 elections, the effort came far too late to have any impact on such a huge national problem. In a final report issued just before it was dissolved in January 1961, members of the soon-to-be-defunct PCGC could do little more than hope that their proposals for a broadened assault on employment discrimination would be heeded by their successors.<sup>65</sup>

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If the advocates of equal employment had emerged from World War II disappointed by the accomplishments of the FEPC, then the closing of the 1950s must have left them utterly disgusted with the record of the PCGC. “[Lacking] the political will, the philosophical conviction, the personal understanding of the realities of unfair employment to blacks, and the enforcement tools necessary to make substantial gains in minority employment,” concludes historian Robert Burk, “the Eisenhower administration handed over to its successors a perpetuating, and in some respects worsening, economic crisis for blacks.” At the time of the committee’s disbandment, only 372 of the 1,042 complaints it received had actually been closed with satisfactory results—all of the rest had either been dismissed or were still pending. Statistics drawn from the PCGC’s employment surveys pay further witness to this mediocre record: between 1957 and

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<sup>65</sup> Northrup, *Negro in the Aerospace Industry*, 29; and “Nixon Lists Steps to Ease Race Bar,” *New York Times*, January 12, 1961.

1959, the percentage of African Americans engaged in unskilled work showed almost no movement while overall black employment actually fell. The only area where the committee could brag about even a partial success was the decline in the number of government contractors who hired no African Americans from 16 to 7 percent. In his final assessment of the PCGC's work, executive director Jacob Seidenberg offered a fitting summary of the seven years between 1953 and 1960. "There is no doubt that results were obtained as a result of processing complaints and that the Committee's stature has grown for diligently prosecuting these cases," Seidenberg concluded, "[but] on balance, this operation by itself was not adequate to resolve the task of the magnitude which confronted the Committee."<sup>66</sup>

Frustrating as this record was, civil rights activists still had reason to hope that the problem of employment discrimination would soon receive the attention it was due. Less than two months after his inauguration, President John F. Kennedy announced with great fanfare that his administration was working on a new executive order that would "strengthen the employment opportunities, both in and out of the government, for all Americans." The heart of this policy was to consist of a reorganization of the PCGC under a new name as the President's Committee on Equal Employment Opportunity (PCEEO). Issued on March 6, 1961, Executive Order 10925 seemed to offer a much more forceful statement against job discrimination. Besides centralizing the responsibility for enforcement entirely within the hands of Vice President Lyndon B. Johnson, Kennedy's order also gave the PCEEO authority to initiate its own

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<sup>66</sup> Burk, *Eisenhower Administration and Black Civil Rights*, 108; Schlundt, "Civil Rights Policies in the Eisenhower Years," 77-78; and Seidenberg, "The President's Committee on Government Contracts."

investigations and provided explicit sanctions against government contractors who violated its provisions. With a fortified executive order and a reorganized committee bolstering the new administration's civil rights credentials, the biggest question remaining was just how forcefully the battle would be waged. Carrying this as their sole standard of judgment, African American workers and their allies cautiously entered the Sixties.<sup>67</sup>

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<sup>67</sup> "Federal Order to Tighten Ban on Job Discrimination," *New York Times*, March 2, 1961; and "Kennedy Statement and Executive Order on Equal Job Opportunity," *New York Times*, March 7, 1961.



## CHAPTER 4

### **“COMPULSION IS NOT THE THING”: FEDERAL CONTRACTS AND THE AMBIGUITY OF AFFIRMATIVE ACTION, 1961-1965**

On May 2, 1961, representatives of the nation's forty-eight largest defense contractors came together in Washington, D.C., for a meeting that many believed would determine their future for at least the next four years. Ever since President John F. Kennedy created the President's Committee on Equal Employment Opportunity (PCEEO) two months before and vested it with the power to withdraw contracts from discriminatory employers, these scions of industry had anxiously awaited a sign of how strictly the administration intended to enforce its civil rights policy. Now, in the measured tones for which he was publicly famous, Vice President Lyndon B. Johnson, speaking in his capacity as chairman of the PCEEO, sought to calm fears about the extent of government intrusion these businessmen could expect. "The Committee has not been set up as an employment or recruitment agency," Johnson advised the group, "[and] under no circumstances will it try to place men and women in jobs for which they are NOT qualified." To further underscore his point, Johnson assured the assembled business leaders that the ultimate sanction of contract cancellation would not be used haphazardly. "There will be some circumstances in which it will be necessary to resort to the authority granted in the Order," the vice president warned, "[but] in the overwhelming majority of the cases, I believe the Committee will be an agency to help people work out the technicalities of what they want to do—to be fair."<sup>1</sup>

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<sup>1</sup> "Kennedy Pushes Equal Job Rights," *New York Times*, May 3, 1961; and "Statement by the Vice President to Group of Defense Contractors, May 2, 1961," in *Civil Rights, The White House, and the Justice Department, 1945-1968, Volume 5: Equal*

Had the leaders of the expanding civil rights movement been privy to this closed-door reception, they likely would have greeted Johnson's conciliatory words with more than a little disdain. Still smarting from seven frustrating years under the "voluntary compliance" schemes practiced by the President's Committee on Government Contracts (PCGC), proponents of equal employment had become eager for a more coercive model of anti-discrimination policy and were thus likely to view the cooperative relations advocated by the PCEEO as just another example of rhetoric without action. While such doubts were certainly understandable given the government's disappointing record over the past decade, the PCEEO did in fact represent a turning point for African American workers. Departing from the purely passive forms of anti-discrimination advocated by its bureaucratic predecessor, the PCEEO introduced a controversial new requirement that changed the way the nation's employers approached the problem of equal employment. Affirmative action, as this strategy came to be known, judged compliance not by the mere absence of discriminatory practice but rather by the positive steps an employer took to integrate his workforce. Paired with the carrot of government cooperation and the stick of contract cancellation, the PCEEO's still somewhat ill-defined call for affirmative action helped soften the attitude of the nation's largest employers toward interference in their managerial prerogatives and set the stage for the historic Civil Rights Act of 1964.<sup>2</sup>

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*Employment Opportunity*, ed. Michael Belknap (New York: Garland Publishing, 1991), 56-62.

<sup>2</sup> On the role played by the PCEEO in the larger historical struggle for equal employment opportunity, see Hugh Davis Graham, *The Civil Rights Era: Origins and Development of National Policy, 1960-1972* (New York: Oxford University Press, 1990), 27-63; Paul Moreno, *From Direct Action to Affirmative Action: Fair Employment Law and Policy in America, 1933-1972* (Baton Rouge: Louisiana State University Press, 1997), 188-98; Herman Belz, *Equality Transformed: A Quarter-Century of Affirmative Action* (New Brunswick, NJ: Transaction Publishers, 1991), 7-41; Nancy MacLean,

Unfortunately for the nation's African American workers, neither this ideological shift nor the PCEEO was ultimately enough to eliminate the massive problem of employment discrimination. Pledging support to affirmative action in the halls of power was one thing, but, as the experience of General Dynamics and Bell Helicopter would soon illustrate, translating this into meaningful reform at the local level was another story indeed. Like many of the nation's largest defense contractors, these two companies became involved in a PCEEO-endorsed program that was lambasted by civil rights activists as yet another example of the ineffectiveness of voluntary compliance schemes. Though the signers of these so-called "Plans for Progress" made well-publicized promises to eliminate discrimination and promote minority employment within their firms, more often than not cosmetic changes were all that ever materialized. This was certainly the case for General Dynamics: while its corporate officers pledged to initiate a system of preferential hiring for African Americans, the lack of any real threat to their prized government contracts resulted in little more than the removal of Jim Crow signs throughout the plant and their replacement by posters guaranteeing equal employment. These promises were further undermined by an economic slump that descended upon Fort Worth's largest aircraft manufacturer in the early 1960s, a fact that ultimately served to call into question the entire strategy of linking government contracts and equal employment. By the time the PCEEO was replaced by the statutorily created Equal Employment Opportunity Commission (EEOC) in 1965, the statistical evidence that it had gathered to evaluate its calls for affirmative action would clearly indicate that

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*Freedom is Not Enough: The Opening of the American Workplace* (Cambridge, MA: Harvard University Press, 2006), 43-44; and Judson MacLaury, *To Advance Their Opportunities: Federal Policies Toward African American Workers from World War I to the Civil Rights Act of 1964* (Knoxville, TN: Newfound Press, 2008), 165-224.

Fort Worth's African American population continued to be underrepresented within both higher-paying production jobs and the aircraft manufacturing industry as a whole.

Besides what it meant for African Americans and the cause of equal employment as a whole, the creation of the PCEEO also had important implications for Fort Worth's aircraft unions as well. Whereas its predecessor had always maintained a relatively hands-off policy with regard to organized labor, the PCEEO attempted to forge more cordial relations with unions similar to those it cultivated with contractors.<sup>3</sup> Many national labor leaders enrolled their organizations in the PCEEO's Union Program for Fair Practices in an effort to demonstrate their voluntary commitment to affirmative action and equal employment. However, just like the Plans for Progress program on the managerial side, these labor initiatives would prove difficult to implement at the local level where officers were more vulnerable to the political will of white members. This tension was perhaps best exemplified by IAM District Lodge 776: while national union leaders pledged their support for the PCEEO's program, local officers in Fort Worth were left alone to deal with such potentially explosive issues as preferential hiring and integrated facilities. Recognizing that they risked a backlash if they supported such measures too strongly, District 776's leaders instead chose to fight the battle for equal

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<sup>3</sup> There are surprisingly few references to the PCEEO within the literature on organized labor and the civil rights movement. Those studies that do mention it usually limit their treatment to little more than a few pages and do not attempt to delve into how the PCEEO's program was received. See, for example, Timothy Minchin, *The Color of Work: The Struggle for Civil Rights in the Southern Paper Industry, 1945-1980* (Chapel Hill: University of North Carolina Press, 2001), 50-51, 80-81, 83, 140-42; Timothy Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill: University of North Carolina Press, 1999), 45-46, 80-81; Judith Stein, *Running Steel, Running America: Race, Economic Policy, and the Decline of Liberalism* (Chapel Hill: University of North Carolina Press, 1998), 53-68; and Michael R. Botson, Jr., *Labor, Civil Rights, and the Hughes Tool Company* (College Station: Texas A&M University Press, 2005), 163-67.

employment by continuing the union's practice of race-neutral representation in both grievance adjustment and collective bargaining. Prudent as this policy may have been, it would ultimately have little effect on the types of jobs that were open to African American members or the discrimination that they continued to face when dealing with management in Fort Worth's aircraft plants.

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With his acceptance of the Democratic Party's presidential nomination in 1960, John F. Kennedy became the spokesperson for the most liberal civil rights platform ever advanced by either major political party up to that time. Besides calling for vigorous enforcement of voting rights legislation and strong federal action to end discrimination in housing and education, the Democrats also advocated passage of a fair employment practice law that would make it illegal for employers to discriminate against minority workers. Though he had gained a reputation in Congress as a racial moderate and personally feared that the Democratic plank promised too much that could not be delivered, Kennedy took the public position that civil rights was a matter of national morality and promised a number of specific actions throughout his campaign. Perhaps the most famous of these pledges was his suggestion that housing discrimination—and, by implication, employment and other forms of discrimination as well—could easily be eliminated with a stroke of the presidential pen. Such statements encouraged African Americans to believe that Kennedy would indeed use all the powers at his disposal to fight for civil rights and won him a strong majority of black votes throughout the nation.<sup>4</sup>

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<sup>4</sup> Carl M. Brauer, *John F. Kennedy and the Second Reconstruction* (New York: Columbia University Press, 1977), 36-38, 43-44; and Graham, *Civil Rights Era*, 29-30. For an overview of Kennedy's presidency, see William Chafe, *The Unfinished Journey*:

Once the ballots were counted that November, however, the hope that civil rights activists had drawn from the Massachusetts senator suddenly seemed to rest upon a shaky foundation. Having eked out a victory by only the slimmest of margins and with a weakened Democratic majority in Congress, it appeared that Kennedy would enter the nation's top office without the political mandate needed to safely pass strong anti-discrimination legislation. Almost immediately after the election, Kennedy began to backpedal on civil rights in an effort to improve the chances of success for his broader agenda of social welfare reform. Even though the new president himself refused to tip his hand, by the time he officially took office in January 1961 it had become apparent to most observers that the nation's civil rights program was likely to be based on executive pronouncements rather than legislative action as originally promised.<sup>5</sup>

Realizing, in the words of historian Hugh Davis Graham, that "the price of avoiding congressional paralysis over civil rights legislation was an executive order to fill the vacuum," the administration thus turned its attention toward reorganizing the defunct PCGC into a more powerful enforcement body for the nation's African American workers.<sup>6</sup> The first step Kennedy took was to assign responsibility for the new equal employment committee to Vice President Johnson. Although he graciously accepted the task, this was not a role that the former senator from Texas relished: besides the fact that it placed him in the middle of an issue that was likely to damage his presidential aspirations among southern voters, Johnson also insisted that he lacked the administrative and legal experience that his predecessor Richard Nixon had brought to the problem. It

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*America since World War II*, 6th ed. (New York: Oxford University Press, 2007), 170-211.

<sup>5</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 57-66.

<sup>6</sup> Graham, *Civil Rights Era*, 30-31.

was only after these arguments failed to have their intended effect in releasing him from his new duties that Johnson committed himself to organizing an agency that would be armed with as much authority as was politically prudent. On the advice of Hobart Taylor, Jr., a successful black lawyer whose father had had dealings with the vice president for many years, Johnson made three important suggestions. First, he insisted that the new agency should oversee the employment policies of both private contractors and other agencies within the federal government. Second, he proposed that the standard non-discrimination clause in all government contracts be revised to impose upon signatories “the affirmative duty” of employing and treating workers without regard to race, creed, color, or national origin. Finally, he asked that contract cancellation and debarment from future contracts, both of which had been merely implicit under Eisenhower’s PCGC, be made an explicit part of the new committee’s potential sanctions against discriminatory employers. With these positions as their guide, Johnson and Taylor spent the first month and a half following the inauguration working with other administration officials to create an effective executive policy with which to tackle the problem of employment discrimination.<sup>7</sup>

Issued on March 7, 1961, the product of these discussions was Executive Order 10925. Incorporating all three of Johnson’s suggestions for strengthening civil rights among the nation’s contractors, the order was hailed by the Kennedy administration as a departure from the more hesitant pronouncements of its predecessors. To a certain extent, this was classic political hyperbole: although it was indeed more lengthy and

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<sup>7</sup> J. Michael Brugger, “‘We Mean Business’: Lyndon Baines Johnson and the President’s Committee on Equal Employment Opportunity, 1960-1965” (M.A. thesis, City University of New York, 1994), 1-6; and Graham, *Civil Rights Era*, 31-36, 38-39.

detailed, at its core Kennedy's order was framed around the same ban on employment discrimination by government contractors as those that had preceded it. Furthermore, besides its name and the new crowd of administrators who were to staff it, the PCEEO that the order created was practically indistinguishable from Eisenhower's PCGC. Yet for all these similarities, there was one important area in which E.O. 10925 offered something qualitatively new. Hoping to advance a more interventionist stance toward on-the-job equality, Kennedy's order used a phrase that would eventually come to poison debates on employment discrimination:

The contractor will take *affirmative action* to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.<sup>8</sup>

In his public announcement of the order before a full press conference, Kennedy was extremely optimistic about its chance of success. "I have no doubt," the president opined, "that vigorous enforcement of this order will mean the end of discrimination." While they were a bit more restrained in their predictions, most reporters approvingly noted the minor differences between Kennedy's pronouncement and those of his predecessors, particularly the fact that E.O. 10925 outlined specific sanctions and conferred authority upon the Justice Department to bring suits against wayward contractors. The *New York Times* insisted that the PCEEO overcame many of the PCGC's shortcomings with "an imaginative and hard-hitting program...tempered by education and persuasion." This sentiment was shared by one of the nation's most

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<sup>8</sup> Executive Order No. 10925, March 6, 1961, [http://en.wikisource.org/wiki/Executive\\_Order\\_10925](http://en.wikisource.org/wiki/Executive_Order_10925) (accessed July 2, 2010). Emphasis added.



widely read black newspapers, the *Chicago Defender*, which maintained that the young president was delivering a more forceful punch in his effort to get the PCEEO's message across. Of course, not all papers offered such a glowing endorsement. One important exception was the *Dallas Morning News*. This staunchly conservative Texas newspaper editorialized that the non-statutory PCEEO represented a usurpation of congressional authority that would likely lead to trouble unless contractors staffed their facilities "with Negro New Frontiersmen from basement to the chairman of the board." "The white minority," the paper went on to say, "is not a minority in good standing at Washington now."<sup>9</sup>

Given the disconnect between this scathing southern editorial and the general atmosphere of praise emanating from the liberal left, it is worth considering exactly what the administration was aiming for with its call for affirmative action. To begin with, though E.O. 10925 was the first time that the federal government had linked such language to the problem of racial discrimination, the term "affirmative action" was not new. In fact, it had been encoded in federal law since at least 1935 when it was written into the Wagner Act to indicate how the National Labor Relations Board should deal with unfair labor practices. The language of affirmative action had also been applied by various state-level fair employment practice agencies, most notably New York's, in their own struggles against discrimination in the years following World War II. In both cases, the term was generally associated with procedural questions such as how hearings were to be held and what types of orders should be used to make victims whole: rather than

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<sup>9</sup> "'Moving Ahead' Against Bias," *New York Times*, March 8, 1961; "Kennedy Tackles Tough Foe—U.S. Job Bias," *Chicago Defender*, March 14, 1961; "Compulsory Employment Plan," *Dallas Morning News*, March 8, 1961; and Graham, *Civil Rights Era*, 40.

simply cease engaging in illegal practices, an offender also had to correct the consequences of those practices.<sup>10</sup>

In contrast to these earlier usages, affirmative action as enshrined in Kennedy's 1961 order was both more ambitious and ambiguous. More than anything, it represented the frustrations of civil rights activists with the glacial pace of reform that the voluntary compliance models of the 1950s had engendered. In the minds of most knowledgeable observers, affirmative action now came to mean the preemptive assertion of federal authority over problems such as employment discrimination that had long been considered outside of Washington's sphere. In this way, liberals could bring the battle for civil rights directly to the South rather than having to wade through the unaccommodating procedural underbrush that so often hindered purely local expressions of racial discontent. However, as forceful as this strategy was, there were still limits beyond which even the most impatient liberal activists were unwilling to go in the early 1960s. Far from demanding the types of preferential treatment warned about by the *Dallas Morning News*, most of those calling for affirmative action—a group that included, among others, the National Association for the Advancement of Colored People (NAACP), the National Urban League, and the Congress of Racial Equality (CORE)—were still strongly committed to the belief that anti-discrimination policy should be colorblind. For these supporters, affirmative action was envisioned not as a means of establishing racial quotas that employers had to meet but rather as a way for the federal

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<sup>10</sup> Graham, *Civil Rights Era*, 33-34. On New York's Law Against Discrimination and the impact of the state FEPC that it created, see Moreno, *From Direct Action to Affirmative Action*, 107-61; Jay Anders Higbee, *The Development and Administration of the New York Law Against Discrimination* (Tuscaloosa: University of Alabama Press, 1966); and Martha Biondi, *To Stand and Fight: The Civil Rights Movement in Postwar New York City* (Cambridge, MA: Harvard University Press, 2003), 98-109, 260-61, 270.

government to police contractors and, to a lesser extent, insure that they took more vigorous efforts to recruit qualified minorities who had been overlooked.<sup>11</sup>

Besides reading far too much into the rather vaguely defined term affirmative action, the opponents of the administration's civil rights policy also failed to consider the many limitations that had been included in E.O. 10925. Precisely because he could not gain the statutory authority that most civil rights activists desired, Kennedy was careful not to overreach and risk upsetting southern lawmakers lest doing so hinder his larger legislative program. Thus, much like the PCGC before it, the PCEEEO was an advisory unit, albeit a strengthened one, with responsibility for overseeing the contracting activity of other independent agencies within the federal government. Also like its predecessor, the new committee remained highly dependent upon the staffs of its government members, most of whom were either cabinet secretaries or the heads of various executive branch offices, to carry out its administrative functions. Contrary to the editorial assumption that the PCEEEO was a dictatorial venture, this dispersion of authority tended to gravitate against actions deemed to be unduly harsh by provincially minded bureaucrats. Perhaps the most important shortcoming of the executive order, however, was the fact that much of what it outlined was merely a more detailed continuation of policies that had already been in existence during the 1940s and 1950s. Though they almost never used it, federal compliance officers had always had the power to cancel government contracts if they felt a contractor was not living up to the terms of his agreement—E.O. 10925 simply required them to pay more attention to racial matters

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<sup>11</sup> Graham, *Civil Rights Era*, 33-35, 41-42. For a different view of affirmative action's early meaning in the minds of liberal activists, see Moreno, *From Direct Action to Affirmative Action*, 189-90; and Belz, *Equality Transformed*, 19-20.

when making such determinations. Furthermore, the authority granted to the PCEEO to hold hearings, receive complaints, and direct educational efforts was identical to what the PCGC had enjoyed.<sup>12</sup>

Ultimately, then, what frightened the Dallas paper so much was not the prospect of affirmative action (whatever it might mean) or the reincarnation of the hated Fair Employment Practice Committee (FEPC) in the guise of the PCEEO. As genuine as these threats may have seemed, what really concerned southerners the most was the widely held notion that unlike his predecessor Kennedy was committed to placing the full authority of the presidency behind the new demand for equal employment. Kennedy himself had done a great deal to nurture this image by emphasizing throughout his campaign that civil rights was not just a practical necessity but also a moral obligation if the nation ever truly hoped to live up to its democratic promise. If much of what the PCEEO advocated was merely a continuation of earlier policies, Kennedy's public stance nevertheless strengthened the spirit behind the committee such that employers could no longer afford to simply ignore employment discrimination. In this regard, at least, the PCEEO did represent an important departure from both the PCGC and the FEPC, neither of which were created by administrations for whom civil rights or fair employment was considered an imperative issue.<sup>13</sup>

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<sup>12</sup> Graham, *Civil Rights Era*, 40-41. Though many of its compliance functions were carried over from the PCGC, it is important to note that the PCEEO was granted the authority to initiate investigations of contractors even in the absence of a formal complaint.

<sup>13</sup> On Kennedy's commitment to civil rights, see Brauer, *John F. Kennedy and the Second Reconstruction*; Nick Bryant, *The Bystander: John F. Kennedy and the Struggle for Black Civil Rights* (New York: Basic Books, 2006); and Mark Stern, *Calculating Visions: Kennedy, Johnson, and Civil Rights* (New Brunswick, NJ: Rutgers University Press, 1992).

Of course, as willing as the administration's spirit may have been, the translation of rhetoric into reality proved to be a great deal more difficult. As had been the case with its predecessors, the resources available to the PCEEEO were quite stingy. Though Kennedy ordered Johnson to have the committee up and running within thirty days after the order was issued, a miniscule \$425,000 budget and an even smaller staff (many of whom were holdovers from the PCGC) left the vice president with little latitude. The enormity of the task at hand quickly became manifest as nearly one hundred complaints found their way to the PCEEEO before it was even officially organized. The most important of these early cases involved Lockheed Aircraft Corporation's manufacturing facility in Marietta, Georgia. This government-owned plant had been the subject of numerous anti-discrimination investigations since being reactivated in the early 1950s. As recently as 1957, the NAACP had conducted a well-publicized effort to try and break down the walls of segregation within the plant, but it accomplished little: not only were African Americans forced to continue enduring the indignity of Jim Crow at the factory's restrooms, water fountains, and cafeterias, but they also remained shut out of skilled jobs and apprenticeship programs. This latter fact became especially onerous in February 1961, when the Air Force announced that it was awarding the nation's very first billion dollar single-system defense contract to the Marietta facility. Recognizing an opportunity to turn publicity to his advantage, NAACP labor secretary Herbert Hill decided to test the PCEEEO's commitment by filing nearly three dozen complaints against Lockheed on the very same day that E.O. 10925 became effective.<sup>14</sup>

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<sup>14</sup> Brugger, "We Mean Business," 16-18; and Note, April 7, 1961, Reel 13, *Papers of the NAACP, Supplement to Part 13: NAACP and Labor, 1956-1965*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America,

The visibility and symbolism of this case was not lost on the PCEEEO's staff, all of whom were eager to demonstrate the committee's strength. Prior to filing charges, Hill was assured by Assistant Secretary of Labor Jerry Holleman, who was also serving as executive director of the PCEEEO, that the government would indeed withdraw the contract of any employer who failed to comply with E.O. 10925. Committee staff director John Feild likewise promised to conduct an immediate investigation of the situation at Lockheed. After a quick trip to Georgia confirmed the seriousness of the problem there, Feild then left for Burbank, California, to talk with the company's president about what could be done. In the meantime, IAM president A. J. Hayes and southern vice president Jesse McGlon began pressuring the Marietta district lodge, which remained segregated despite the international union's earlier attempts to abolish Jim Crow auxiliaries, to admit black members into a unified local where they would have full access to all union services and apprenticeship programs. Although local white leaders expressed their wariness of integration, Hayes overrode these opponents by allowing the members of the black auxiliary to vote on affiliation (they supported it) and sending a Grand Lodge representative to set up the merged lodge. Feild's discussions in California soon yielded similar positive results when Lockheed agreed to a number of measures, including the removal of all "colored" and "white" signs from its facilities, the substitution of mobile lunch carts in place of segregated cafeterias, and the provision of paper cups at integrated water fountains.<sup>15</sup>

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1997). On Herbert Hill, see the essays by Eric Arnesen, Nancy MacLean, Clarence E. Walker, Nelson Lichtenstein, and Alex Lichtenstein in *Labor: Studies in Working-Class History of the Americas* Vol. 3, No. 2 (Summer 2006), 11-39.

<sup>15</sup> "Lockheed Drafts Equal-Jobs Plan," *New York Times*, May 14, 1961; "Negro Makes Job Gain in South Under Initial Drive at Lockheed," *New York Times*, June 18,

Important as these initial changes were, they fell far short of what civil rights proponents had hoped for. Not surprisingly, Hill labeled Lockheed's actions as peripheral to the larger problem of job discrimination and promised that the NAACP would submit more complaints outlining what remained to be done at the plant. With the prospect of more unwanted publicity looming, Lockheed and the PCEEO announced a breakthrough that, unbeknownst to them, was destined to determine the direction equal employment efforts took for the next three years. At a highly publicized ceremony held in the White House on May 25, 1961, Lockheed president Courtlandt Gross and Vice President Johnson signed a document pledging the aircraft manufacturer to undertake an active, company-wide program to provide improved job opportunities for African Americans. This so-called "Plan for Progress," as Feild labeled it, was drafted by Lockheed's own personnel office and promised to expand the company's recruitment efforts into black high schools and colleges, open supervisory training and apprenticeship programs, and conduct an inventory of current black employees in order to place them in better jobs.<sup>16</sup> Kennedy immediately hailed this voluntary compliance agreement as one of the most significant actions his administration had yet taken in its fight for civil rights. Even Herbert Hill, who had many reasons to be skeptical of voluntary compliance after the disappointments of the 1950s, offered his guarded approval, though he also warned that final judgment would have to be reserved until he saw how the program was put into action. Much to Hill's satisfaction, Lockheed's Plan for Progress initially seemed to offer reasons for encouragement. In a follow-up report published three weeks after the

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1961; "Lodge 2016 Votes to Merge at Marietta," *The Machinist*, May 18, 1961; Graham, *Civil Rights Era*, 47-49; and Brugger, "'We Mean Business,'" 24-25.

<sup>16</sup> "Joint Statement on 'Plan for Progress,'" n/d, Folder "Subject Files-1961," Box 85, Vice Presidential Papers, Lyndon Baines Johnson Presidential Library, Austin, Texas.

plan's announcement, the *New York Times* indicated that the company's training division had teamed up with the Atlanta Urban League in order to advertise the change in policy to black students throughout the area. The paper also noted that Lockheed was conducting a nationwide search to recruit qualified African American professionals into immediate openings among the plant's white collar staff. Although it admitted it was too early to tell just how far this program would be pressed, the *Times* article concluded that "enough has happened to indicate that [the Plan for Progress] may produce a minor revolution in hiring and upgrading policies in a region where Negroes have generally been confined to common labor and menial jobs."<sup>17</sup>

Journalistic license notwithstanding, Lockheed's willingness to reform its practices did in fact signal an important turning point for the young PCEEEO. Though Feild's pressure on Lockheed and the threat of compulsory action had no doubt played a part in bringing the company to the table, the real driving force behind this deal came from an individual who was not even a member of the committee or the Kennedy administration. From the very moment that Hill and the NAACP filed complaints against Lockheed, Atlanta lawyer Robert Troutman, Jr., had been working behind the scenes to reach a solution that would spare Georgia's most important industrial facility from the sanctions available to the committee. Like so many other upper crust Atlantans, Troutman was a tireless booster who did his best to promote the idea that his hometown was a "city too busy to hate." Central to this civic ideology was the belief that Atlanta could avoid the upheavals witnessed elsewhere in the South if only the town's leading

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<sup>17</sup> "Lockheed Signs Equal-Jobs Pact," *New York Times*, May 26, 1961; "Negro Makes Job Gain in South Under Initial Drive at Lockheed," *New York Times*, June 18, 1961; and Frank Dobbin, *Inventing Equal Opportunity* (Princeton, NJ: Princeton University Press, 2009), 45-49.



citizens, particularly those with a stake in local businesses, would welcome moderate civil rights reforms.<sup>18</sup> “Compulsion is not the thing,” the charismatic Troutman argued. “I’m a lawyer. I can show you how to get around the Executive Order. It’s got to be voluntary.” Serving as an informal advisor in recognition of his support for Kennedy’s southern campaign, Troutman brought this philosophy to the White House and, within a short amount of time, convinced the president that he was more likely to achieve his equal employment goals if he avoided an adversarial relationship with contractors. Soon thereafter, Kennedy created a special subcommittee within the PCEEO whose sole purpose was to secure Plans for Progress from other large contractors. This voluntaristic approach quickly gained traction among employers and by July 1961 Troutman’s subcommittee convinced eight more contractors to sign up, bringing the total number of workers covered under the voluntary compliance agreements to three quarters of a million.<sup>19</sup>

Unfortunately, neither the announcement of E.O. 10925 nor this flurry of early activity by the PCEEO seems to have elicited much response among the aircraft companies in Fort Worth. Although General Dynamics was represented among the forty-eight contractors who Vice President Johnson hosted in May 1961, corporate

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<sup>18</sup> For an outstanding treatment of Atlanta’s civic ideology and its affect on civil rights protest in the city, see Kevin Kruse, *White Flight: Atlanta and Making of Modern Conservatism* (Princeton, NJ: Princeton University Press, 2005). For a more broad-ranging account of the role played by businessmen in fostering civil rights reforms throughout the South, see Elizabeth Jacoway and David R. Colburn, eds., *Southern Businessmen and Desegregation* (Baton Rouge: Louisiana State University Press, 1982).

<sup>19</sup> “Eight Companies Sign Negro Job Pledge,” *New York Times*, July 13, 1961; PCEEO, “The First Nine Months: Report of the President’s Committee on Equal Employment Opportunity” (Washington, D.C.: GPO, January 15, 1962), 47; and Graham, *Civil Rights Era*, 50-52. For a brief portrait of Robert Troutman, Jr., see David L. Chappell, *Inside Agitators: White Southerners in the Civil Rights Movement* (Baltimore: Johns Hopkins University Press, 1994), 184-85.

headquarters waited a full six months after the president's order was issued to release a statement reaffirming its policy that "all persons shall receive equal employment opportunities in accordance with their individual job-related qualifications, without regard to race, creed, color, or national origin." Equally uninspiring was Fort Worth division president Frank Davis's follow-up announcement to his supervisors reminding them that equal employment required their continuous attention. These weak statements were only partially strengthened by the issuing of a directive in October 1961 outlining the proper procedure for minority employee recruitment under General Dynamics's new "merit employment policy." According to this rather vague set of instructions, supervisors were supposed to highlight the company's commitment to equal employment opportunity in all recruitment advertising and develop training programs "as required to encourage...the participation of minority group members in such programs." General Dynamics also notified the officers of IAM District 776 and the other unions at its Fort Worth plant that the company had been obliged by the PCEEEO not to discriminate in any of its employment practices. This warning was eventually printed on posters and placed throughout the facility. Officials at Bell Helicopter apparently did not even go this far. According to Philip Waibel, who was later interviewed in his capacity as the head of Bell's equal employment program, the helicopter manufacturer adhered only to the "general philosophy" of anti-discrimination and had no written policy when he began in 1961.<sup>20</sup>

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<sup>20</sup> "'Merit Employment Policy' Proclaimed," *General Dynamics News*, September 13, 1961, Box 43, *Joe Eddie Lee vs. General Dynamics* (1972); Frank Davis to Supervisors, September 8, 1961, *ibid*; "Division Standard Practice-Merit Employment," n/d, *ibid*; "Non-Discrimination in Employment," December 26, 1961, Folder 13, Box 41, Collection AR 48, International Association of Machinists and Aerospace Workers

Though it is difficult to say exactly why General Dynamics and Bell felt confident enough to offer such delayed responses to E.O. 10925, two probable explanations do present themselves. First and foremost, the general ineptitude of the PCGC and its unwillingness to follow through on the earlier investigations of conditions in Fort Worth had likely emboldened the companies into expecting more of the same from the PCEEO. Regardless of the alarm bells raised by the *Dallas Morning News*, the half-hearted federal intervention of the 1950s was not exactly conducive to inspiring fear in the hearts of company officers. Of course, even if management at the plants saw no real reason to worry about the nascent PCEEO, such benign neglect was still a risky proposition given the Kennedy administration's well-publicized promises to cancel the contracts of recalcitrant suppliers. This being the case, another possible reason for the tepid response of Fort Worth's aircraft manufacturers was the depressed state of the aerospace industry in the early 1960s. As labor economist Herbert Northrup pointed out, local employment figures in Fort Worth had been on the decline since at least 1958 in response to recessionary conditions and the nation's increasing reliance on missiles and other unconventional weapons for defense.<sup>21</sup> If this was indeed one of the reasons behind the apparent disinterest of General Dynamics and Bell in the PCEEO's actions, it points to yet another flaw in the federal government's strategy of targeting contractors as a means of promoting equal employment. Besides the fact that the strategic need for weapons limited the threat of contract cancellation for all but the most intransigent employers, the

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District Lodge No. 776 Papers, University of Texas at Arlington Special Collections (hereinafter cited as District 776 Papers); and Deposition of Philip Waibel, January 8, 1979, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317* (1975), 30.

<sup>21</sup> Herbert Northrup, *The Negro in the Aerospace Industry* (Philadelphia: Wharton School of Finance and Commerce Industrial Research Unit, 1968), 31.

vicissitudes of defense policy also allowed contractors to effectively justify discrimination by insisting that it was nothing more than a consequence of shortages and surpluses in the labor market. Put somewhat differently, the government's attempt to regulate race relations on the shopfloor through the medium of non-statutory executive orders could only be successful if it was accompanied by a similar top-down policy guaranteeing the business of military suppliers and the right of their employees to uninterrupted work. In the highly charged ideological atmosphere of the Cold War, however, such forms of economic planning were beyond consideration.

Surprisingly, the uninspired responses of General Dynamics and Bell seem not to have raised any eyebrows among civil rights activists in Fort Worth. The historical record contains no indication that local leaders of the NAACP took the same initiative against General Dynamics that Hill had taken against Lockheed. In a June 1961 progress report to NAACP executive secretary Roy Wilkins, for example, Fort Worth branch president George Flemmings stated that talks were underway to procure jobs for African Americans at local supermarkets but made no mention of any similar effort within the aircraft industry. Although this equal employment drive was extended to a number of other local businesses over the next seven months, the branch continued to neglect the major aircraft companies. By contrast, the Dallas NAACP took a slightly more proactive approach. In early 1962, for example, branch president Clarence Laws helped Dorothy Spears, a college-educated black woman who had just moved to the area from South Carolina, secure a job as a production control clerk at Bell. Even for the much more active Dallas branch, however, this type of personal intervention seems to have been the

exception rather than the rule.<sup>22</sup> It is not entirely clear why local NAACP officials failed to initiate more extensive negotiations with two of the area's largest and most important employers. As had been the case during the late 1950s, distraction may have contributed to the inactivity: according to the year-end summary of branch activities for 1961, local NAACP members managed to successfully integrate all of Fort Worth's downtown department stores and transit stations, indicating that the branch's attention was being directed elsewhere. There is also evidence suggesting that the two branches were heavily involved in the continuing struggle to desegregate the area's schools. Whether either of these campaigns was enough to distract the NAACP's local leaders from the pressing problem of equal employment, however, can only be speculated upon.<sup>23</sup>

Ultimately, the catalyst for change in the Fort Worth aircraft industry came not from civil rights activists in the NAACP or any other local organization, but rather from the companies themselves. During the months following the Plans for Progress signing ceremony in July, Troutman, as was his custom, became a vocal booster for the program throughout the nation. In Fort Worth, his efforts to secure pledges from the nation's largest contractors bore fruit in late November when General Dynamics joined eleven other firms in signing their own Plans for Progress at an elaborate White House ceremony. Modeled after the Lockheed agreement, the document to which corporate vice president Allen Marshall affixed his signature revealed the cautious mindset of General Dynamics and other companies participating in the Plans for Progress program. Besides

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<sup>22</sup> George Flemmings to Roy Wilkins, June 13, 1961, Reel 15, *Papers of the NAACP, Supplement to Part 13*; and Deposition of Dorothy Spears, July 21, 1977, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 9-12.

<sup>23</sup> "Highlights for 1961-Fort Worth Branch," n/d, Reel 17, Series B, *Papers of the NAACP, Part 25: Branch Department Files*, eds. John H. Bracey, Jr. and August Meier (Bethesda, MD: University Publications of America, 2000).

implying that the aircraft manufacturer's present commitment to equal employment was simply an extension of earlier corporate practices, the joint statement also carefully qualified what the PCEEEO could reasonably expect from General Dynamics. "[The] President's Committee recognizes that the equal employment opportunity goal is a long-range undertaking," the Plan read. "It also recognizes that our objectives may not be carried out at a uniform rate or manner throughout the Corporation because of a number of factors over which General Dynamics has no direct control." Among the factors that might impede the company's progress was the expansion and contraction of different divisions at different times, the recall rights of current employees who might be laid off, and the "obvious lack of properly trained and qualified applicants" among minorities. In addition to these lengthy qualifications, which by themselves called into question the utility of allowing government contractors to police their own agreements, the Plan also contained two rather vague sections laying out how minority recruitment was to take place and promising a review of each division's training programs. With regard to the underutilization of African Americans in skilled positions, General Dynamics simply stated that it would continue to practice non-discrimination in promotions, layoffs, downgrades, and recalls just as it always had.<sup>24</sup>

Perhaps the most interesting part of General Dynamics's Plan, however, was the way it proposed to define and measure progress. As with the ambiguous statements on

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<sup>24</sup> "12 Concerns Sign Anti-Bias Vows," *New York Times*, December 1, 1961; and "Joint Statement on 'Plans for Progress'—General Dynamics Corporation and President's Committee on Equal Employment Opportunity," n/d, Folder "General Dynamics Corp.," Box 6, Office of the Secretary-Plans for Progress Records, 1961-1969, General Records of the Department of Commerce, Record Group 40, National Archives and Records Administration, College Park, Maryland (hereinafter cited as RG 40).

recruitment, training, and advancement, company officials offered only a vague outline of what they meant by affirmative action:

With regard to the annual review of progress mentioned in this plan, it is not intended that specific numerical targets or goals be set. Nevertheless, it is intended that evaluation will be made, in part, in terms of increases in the numbers of minority persons hired, promoted, involved in training and occupying responsible positions within the Corporation.<sup>25</sup>

To a certain extent, General Dynamics can be forgiven for the contradictory nature of this language; after all, neither the PCEEO nor the civil rights activists who supported it had themselves ever agreed on a substantive definition of affirmative action. By failing to offer definite guidelines, the PCEEO practically invited hazy statements from individual contractors who were determined to do what suited them best. Still, as complicit as the government may have made itself, such conservative pledges also called into question the commitment of General Dynamics and other contractors to their obligations under E.O. 10925. Plans for Progress was based on the assumption that the largest companies would take positions of leadership independently of the PCEEO and thus help the wider business community become acclimated to the importance of equal employment. Unless and until General Dynamics provided a more concrete standard on which it was to be judged, its professed adherence to the principle of affirmative action was little more than a cynical means of protecting its position in the cutthroat competition for government contracts.

The ambiguities of these and other Plans for Progress were not lost on the program's critics. On the occasion of the second signing ceremony in July 1961, the *New*

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<sup>25</sup> "Joint Statement on 'Plans for Progress'—General Dynamics Corporation and President's Committee on Equal Employment Opportunity," n/d, Box 6, Folder "General Dynamics Corp.," RG 40.

*York Times* noted the fact that many of the Plans were rather vague. Despite their guarantees of non-discrimination, reporter Peter Braestrup skeptically noted that several of the Plans “contained a clause specifying that ‘no specific numerical targets’ would be set up” similar to the one signed by General Dynamics. By the end of 1961, such notions had also gained footing among the PCEEO’s Washington staff, many of whom were growing wary of the way Plans for Progress was being administered. Even as he continued to solicit new signers, PCEEO staff director John Feild became a leader among those who believed that Troutman’s program was preventing the fulfillment of the committee’s mission through stronger enforcement efforts and liberal use of the potent contract cancellation threat. To Field and many others, Plans for Progress increasingly seemed like little more than a free pass for the largest contractors to evade the requirements of E.O. 10925. This notion became even more widespread when it was discovered that Plans for Progress signers were allowed to substitute their own compliance reports in place of a standardized form issued by the committee, raising the specter that participants would in essence be policing themselves. For his part, Troutman defended the program, saying that any deficiency among signers was due not to the vagueness of their pledges but rather to the fact that Feild and his staff were unable to devote more attention to Plans for Progress. Feild’s reaction to this charge was to remind the PCEEO that the voluntary component of the Plans was being overblown since all contractors were required to follow the president’s order anyway. If the signings continued, he warned, people would soon begin to think that the administration was more interested in rhetoric than action.<sup>26</sup>

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<sup>26</sup> “8 Companies Sign Negro Job Pledge,” *New York Times*, July 13, 1961;



Vice President Johnson responded to this growing rift by issuing a report in January 1962 highlighting the accomplishments of the PCEEO during its first nine months. In less than a year, the report proudly noted, the committee had amassed a respectable record of compliance in its dealings with contractors: out of 641 complaints received, 127 resulted in corrective action, 167 were dismissed, and the remaining 347 were pending. This record was said to be a vast improvement over the efforts of the PCGC, which had taken seven years to successfully close a similar number of cases. Johnson also attempted to deflect criticism revolving around the compliance reporting system by suggesting that it was “the most significant [step] taken in twenty years of federal anti-discrimination effort” and would present the first accurate portrait of how extensive employment discrimination was. By contrast, the politically astute Johnson offered fewer words on Plans for Progress, saying only that it had so far garnered the signatures of fifty-two contractors employing over three and a half million Americans.<sup>27</sup>

Unfortunately for the PCEEO, this conciliatory report was far from enough to appease the growing impatience of equal employment proponents, particularly those in the NAACP. After having initially accepted Plans for Progress as a resourceful way of gaining compliance, Herbert Hill had since begun to argue that the program was more about publicity than progress. Shortly after the announcement of another signing ceremony in February 1962, Hill declared that the PCEEO had henceforth been powerless to effect changes in such important industries as textiles, utilities, railroads,

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Graham, *Civil Rights Era*, 52-53; and Robert Troutman, Jr. to Lyndon B. Johnson, December 6, 1961, in Belknap, *Civil Rights, The White House, and the Justice Department*, 89.

<sup>27</sup> PCEEO, “The First Nine Months: Report of the President’s Committee on Equal Employment Opportunity” (Washington, D.C.: GPO, January 15, 1962), 39, 41-44, 47-48.

and construction, and that an executive agency was no substitute for a federal law mandating fair employment practice. Even when Johnson attempted to quell this criticism by holding a two-hour-long meeting with Hill and Roy Wilkins, the NAACP remained suspicious. In a statement appraising the PCEEEO's first year, Hill maintained that although the policies of the committee were a definite improvement over those of its predecessor, they were not being put into practice. "Instead," the report continued, "the Administration has relied for favorable publicity on a superficial approach that strangely resembles that of the Nixon committee. The so-called 'Plans for Progress'...yield high returns in press notice and only superficial and token results in new job opportunities." Plans for Progress participants, Hill concluded, had come to regard their signing as a guarantee of immunity from real compliance with the president's order, and it was up to the PCEEEO to disabuse them of this notion.<sup>28</sup>

The criticism leveled by Hill and the NAACP against Plans for Progress was upheld by the experience of African Americans in Fort Worth's aircraft plants. At the time General Dynamics voluntarily pledged its compliance with E.O. 10925 in November 1961, black workers were virtually non-existent within the company's well-paid white collar workforce, holding only three positions out of nearly 8,000 total. The situation on the shopfloor was no better, where African Americans made up just 0.1 percent and 6.6 percent, respectively, of the plant's skilled and semi-skilled workforces; by contrast, blacks held 31.3 percent and 80 percent of all service and laborer jobs. Altogether,

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<sup>28</sup> "31 More Defense Concerns Sign Pact Against Job Discrimination," *New York Times*, February 8, 1962; "Johnson Assures Negroes on Jobs," *New York Times*, February 16, 1962; and "The National Association for the Advancement of Colored People Appraises the First Year of the President's Committee on Equal Employment Opportunity," April 6, 1962, Reel 13, *Papers of the NAACP, Supplement to Part 13*.

General Dynamics's Fort Worth division employed only 219 African Americans out of a total workforce of 15,798 at the end of the PCEEO's first year.<sup>29</sup> Tellingly, some seven months into the company's implementation of its Plan for Progress, these dismal figures had actually grown worse due to General Dynamics' decision to lay off an additional 4,000 workers. Throughout the first half of 1962, black employment in the clerical and skilled craftsmen categories remained stagnant, while the number of semi-skilled and service workers declined. The company tried to spin this by pointing to the percentage gains that African Americans made overall, increasing from 1.4 percent to 1.6 percent of the total workforce, but this was easily dismissed by looking at the actual numbers. The situation at Bell was nearly as bad, with black workers accounting for only 1.7 percent of the helicopter manufacturer's 2,978 employees and similarly low percentages within the better paying white collar and skilled blue collar job categories.<sup>30</sup>

The story was much the same among Plans for Progress signers in other areas of the country. For example, in a widely publicized survey of twenty-four contractors in Troutman's hometown of Atlanta, the Southern Regional Council (SRC) argued that the degrees of attention paid to E.O. 10925 ranged from "ignorance to indifference." Though there were exceptions to this—the most notable being Lockheed, which the SRC maintained had shown "a vigorous desire to create job opportunities"—the report ultimately concluded that Plans for Progress had been largely meaningless for Atlanta's African American population. The prevailing attitude among the area's Plans

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<sup>29</sup> "Self Analysis Form/Plans for Progress," November 15, 1961, Folder "EEO-10 Reports, Continental Can Co. thru General Electric Co.," Box 67, RG 40.

<sup>30</sup> "General Dynamics Self Analysis Form," June 15, 1962, Folder "General Dynamics Corp., Self Analysis Forms," Box 78, RG 40; and "Bell Helicopter Self-Analysis," June 15, 1962, Folder "Textron, Inc., Self Analysis Figure Form," Box 81, *ibid.*

participants was perhaps best summarized by O. J. Schuler, the manager of General Dynamics's small Georgia sales office. Even after the corporation's equal employment policy was explained to him, Schuler insisted that full integration of the white collar workforce would place his office at a competitive disadvantage. "I think the time will come when it will be advantageous to have those people on our marketing staff," this official continued, "[but] a lot of time you have to consider what is in the interest of business rather than what's good for mankind."<sup>31</sup>

Although few were as forthright in their admission, the sentiment expressed by General Dynamics' sales manager was apparent in most of the Plans for Progress signers' attempts to explain—some might say excuse—the slowness of their efforts. On the first anniversary of the program, the PCEEO published the results of a survey it had sent out to signers soliciting opinions on the minority employment problems facing their companies. The summary of responses contained a number of recurring themes, most of which focused upon the alleged lack of education and motivation among minorities. For example, Plans signers insisted that they were utilizing all standard media to advertise their commitment to equal employment, but the number of qualified African Americans who applied was still insufficient in most cases to fill demand. Efforts to combat this problem through more extensive training had faltered, the companies argued, due to the low interest that minorities showed in such programs. A number of companies also insisted that even where they were explicitly non-discriminatory, union seniority

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<sup>31</sup> "Plans for Progress: Atlanta Survey," January 1963, Folder "Atlanta Plan for Progress-Southern Regional Council Report," Box 4, Records of Temporary Committees, Commissions, and Boards: The President's Committee on Equal Employment Opportunity, 1961-1965, Record Group 220.10.2, National Archives and Records Administration, College Park, Maryland (hereinafter cited as RG 220.10.2); and "Interview Notes: General Dynamics Corporation," February 26, 1963, *ibid.*

provisions tended to work against African Americans since many lacked the tenure needed to advance into better paying jobs.<sup>32</sup> Complimenting these many excuses, the managers at General Dynamics fell back on the language of their company's original Plan for Progress to point out that the Fort Worth plant was between major contracts and was therefore experiencing a decline in total employment. Whenever it was feasible to do so within the shrinking workforce, local officials insisted that they had and would continue to place black workers into positions formerly reserved for whites.<sup>33</sup>

Whether the glacial pace of change among Plans for Progress signers was due to their own or their applicants' lack of enthusiasm, Johnson's faith in both the program and Troutman was beginning to wane by the summer of 1962. Part of the problem had to do with the pressure being exerted upon the committee by civil rights organizations. Hoping to embarrass the vice president into adopting a more forceful stance for the PCEEEO, Hill announced in July 1962 that the NAACP was launching a massive complaint campaign against forty of the country's eighty-five Plans participants in order to show just how little they had accomplished. The NAACP labor secretary also publicly derided Troutman as "an avowed southern segregationist" who kept company with racist politicians. Realizing that he no longer had the confidence of either the civil rights

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<sup>32</sup> "Plans for Progress: First Year Report, Attachment C: Responses to 'Plans for Progress' Questionnaire," April 30, 1962, Folder "Plans for Progress: First Year Report, Apr. 30, 1962," Box 11, Vice Presidential Papers, Civil Rights Collection, Lyndon Baines Johnson Presidential Library, Austin, Texas.

<sup>33</sup> "Policies as to Employment of Minorities-General Dynamics/Fort Worth," n/d, Folder "EEO-General Dynamics Corp.," Box 82, RG 40. Due to an unanticipated cutback in the number of B-58 supersonic bombers that the Air Force was willing to purchase, employment at the Fort Worth plant did indeed decline precipitously during the early 1960s. See Ford Dixon, "McNamara, General Dynamics, and the F-111: A Business and Political History" (Ph.D. dissertation, Texas Christian University, 1972), 29-38.

community or the vice president, Troutman decided to excuse himself from the PCEEO in August 1962. In his resignation letter to Kennedy, a wounded Troutman continued to uphold the program he had developed and lamented that it had become the target of so many vicious attacks from its detractors. “While the venture became immediately impressive to those (the nation’s key employers) who could help achieve great nationwide success,” Troutman maintained, “it became equally unimpressive to those who speak for the people whom Plans for Progress sought to aid (the nation’s large Negro population). Incredible but true!” Though Plans for Progress remained part of the committee’s agenda, Troutman’s departure insured that its voluntary methods would receive a great deal less publicity. But the PCEEO’s housecleaning did not stop here. Upset by what he believed was disloyalty to himself and the committee’s public program, Johnson also notified Feild that his job as staff director was being eliminated. In its place, the committee created a full-time executive vice chairmanship to be held by the vice president’s legal advisor Hobart Taylor, Jr.<sup>34</sup>

Having eliminated the leaders of the PCEEO’s two main factions, Johnson turned his attention to strengthening the committee’s enforcement efforts and enhancing its reputation within the civil rights community. The forum chosen for this discussion was the committee’s fifth regular meeting in late August 1962. At this gathering, a great deal of attention was focused upon the recently completed report of Theodore Kheel, the former head of the National Urban League and a well-respected labor relations expert who had been commissioned by Johnson to study the problems within the PCEEO and

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<sup>34</sup> Robert Troutman, Jr. to John F. Kennedy, June 30, 1962, in Belknap, *Civil Rights, The White House, and the Justice Department*, 90-91; Graham, *Civil Rights Era*, 55-59; and Brugger, “We Mean Business,” 45-51.

recommend ways of strengthening it. Not surprisingly, Kheel's conclusions confirmed what many critics had been saying for some time, namely that by focusing on the voluntary efforts of Plans for Progress participants, the committee had neglected its larger duty of enforcing compliance with E.O. 10925 among all government contractors. Among his many recommendations, Kheel suggested that the PCEEO needed to reorganize its staff in order to devote more time to adjusting complaints where large patterns of discrimination were alleged. He also urged the committee to conduct more frequent follow-up visits to the facilities of Plans for Progress signers and publicize both their successes and failures in order to keep up the pressure for reform. Finally, Kheel implored the PCEEO to use all of the sanctions provided to it, including contract cancellation, as a cudgel against recalcitrant employers. Kheel's report was well-received by the PCEEO members, most of whom were anxious to move beyond the negative publicity garnered by Plans for Progress. Before the meeting was adjourned, the participants unanimously adopted a resolution stating that henceforth "volunteer programs based upon persuasion [would] only supplement the basic work of compliance and enforcement."<sup>35</sup>

Having once again professed its commitment to complaint processing and adjustment, the PCEEO moved diligently throughout the fall of 1962 to act on this. From his new position as executive vice chairman, Taylor called in a management specialist who in turn consolidated and eliminated a number of positions in an effort to streamline the committee's staff. Taylor was also quick to initiate a new processing system so as to

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<sup>35</sup> "Minutes of the Fifth Meeting," August 22, 1962, in Belknap, *Civil Rights, The White House, and the Justice Department*, 110-14; "White House Urged to Use Compulsion in Negro Job Drive," *New York Times*, August 19, 1962; and Graham, *Civil Rights Era*, 57.

more promptly handle received complaints, the number of which had increased dramatically during the summer as a result of Hill and the NAACP's stepped up efforts. In addition to these administrative reforms, the newly invigorated committee also attempted to improve its public image by preparing a report showcasing some of its more notable successes in adjusting complaints throughout the country. Although neither General Dynamics nor Bell were mentioned, several Texas firms figured prominently in the report. At the Socony-Mobil Oil Company's refinery in Beaumont, for example, black workers had complained that the dual seniority lists negotiated by the union had effectively confined them to a small range of low-skill service jobs. These workers also insisted that the plant's gates, time clocks, locker rooms, cafeterias, and drinking fountains had remained segregated despite the president's order. Following negotiations with management and the union, the report indicated that all facilities were integrated and steps were taken to eliminate the segregated seniority lists, thereby allowing workers to bid on all open jobs regardless of their race. The most interesting case, however, came from the Comet Rice Mills in Houston, where black workers complained that they were being paid less than whites. When management at the mill refused to adjust their employment practices, the PCEEEO responded by issuing an order barring the company from receiving any new government contracts. Besides convincing Comet to reevaluate its policies on equal employment, this unprecedented show of strength also served notice to other contractors that the new enforcement-minded PCEEEO was indeed willing to make use of all the sanctions at its disposal.<sup>36</sup>

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<sup>36</sup> Brugger, "'We Mean Business,'" 51-52; Arthur J. Goldberg to John F. Kennedy, June 22, 1962, in Belknap, *Civil Rights, The White House, and the Justice*



Given the size of its workforce and its importance as one of the nation's largest defense contractors, it is not surprising to discover that a number of complaints were also filed against General Dynamics during this time as well. Unfortunately, the exact details of these cases are unknown, but it is still possible to construct a skeletal outline of the PCEEEO's enforcement efforts in Fort Worth.<sup>37</sup> According to a summary of charges brought against Plans for Progress signers, a total of seven complaints were filed against General Dynamics: two of these alleged discrimination in hiring, another two involved discriminatory job placement, and the remaining three concerned discharge. Of these, only two were listed as being satisfactorily adjusted; the rest, presumably, were dismissed or still pending at the time the summary was produced. The report also made clear that none of these cases were filed by the NAACP, once again raising the important question of exactly why the local branch of this formidable civil rights organization was so quiet on the problem of employment discrimination in Fort Worth.<sup>38</sup> Though it is difficult to draw any concrete conclusions from such sparse evidence, the fact that these complaints were filed independent of the local NAACP leadership would seem to indicate that the PCEEEO's publicity efforts were having at least some effect upon black aircraft workers

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*Department*, 97-98; and "Pattern-Changing Results of Complaint Investigations," September 1962, *ibid.*

<sup>37</sup> Although the finding guides for Record Group 220.10.2 at the National Archives in College Park, Maryland, indicate that there were several investigations conducted at General Dynamics in response to various complaints, the folders containing these records are inexplicably missing from the designated boxes. An exhaustive search of this and other record groups, as well as discussions with numerous archivists, failed to uncover any information as to where these materials might be located. This is all the more frustrating given that the case files for a number of other firms in Texas were present and included a great deal of information on how the PCEEEO dealt with investigations in these various industries.

<sup>38</sup> "Summary of Complaints against Plans for Progress," n/d, Folder "Complaint Reports-Gen. and Statistical," Box 4, RG 220.10.2.

themselves. Just as they had helped spur a lengthy three-year-long investigation during the days of the PCGC, the PCEEEO-sanctioned posters placed by General Dynamics throughout its Fort Worth facilities apparently convinced at least some rights-conscious African Americans that the federal government could be a potent weapon in their struggle for equality on the shopfloor. Combined with the growing momentum for civil rights reform outside the workplace, the PCEEEO's campaign to rebrand itself as a strong enforcement agency could only have helped to reinforce these notions among black workers eager to fully share the prosperity brought by local aircraft manufacturers.

Fortunately, the half dozen or so rank-and-file workers who filed these complaints were not the only ones driven to action by the PCEEEO's newfound commitment to enforcement. As the committee tried to distance itself from the much-maligned Plans for Progress program, many large contractors began to take more positive steps toward fulfilling their equal employment obligations. Though few would likely ever admit the reasons for their change of heart, the PCEEEO's well-publicized punishment of Comet Rice Mills could not have been far from the minds of most corporate officers. Among these latter-day converts, General Dynamics was especially prominent for what it risked losing should it choose to stonewall the reinvigorated PCEEEO. Following four financially disastrous years marked by military cutbacks and an ill-advised venture into the commercial airliner business, in November 1962 the company somewhat unexpectedly secured a \$6.5 billion contract to develop the Air Force's new F-111 fighter jet. While this news was indeed cause for celebration throughout Fort Worth, in the era of contract-based civil rights enforcement such massive sums of taxpayer money were bound to be accompanied by intense scrutiny of the winning company's employment

practices—one had to look no further than the recent investigations at Lockheed for evidence of this. In the case of General Dynamics, such prying was likely to be even more intense considering that corporate rival Boeing and its many well-connected political allies were already vigorously disputing the F-111 award. Should these hostile forces find any improprieties in General Dynamics's equal employment policies, they could very well delay or even scuttle the company's contract, an event that many predicted would lead to the closing of the Fort Worth plant altogether.<sup>39</sup>

With these unique circumstances in mind, General Dynamics officials set out during the opening months of 1963 to more vigorously promote and protect the rights of their African American employees. The first vestiges of discrimination that the company undertook to eliminate were the segregated facilities spread out across the Fort Worth plant. Though local management had indicated a desire to do away with such practices as early as 1959, a number of African American witnesses asserted that General Dynamics maintained separate and decidedly unequal accommodations until well after Kennedy issued E.O. 10925. Monroe Merritt testified that the restrooms for black employees like himself amounted to nothing more than “a little pigeonhole in the back.” “If someone was on it,” he maintained, “then you had to walk seven or eight or ten columns to the next one and if someone was on it you had to go farther.” Given that the plant was well over a mile long, the trek to find an unoccupied “colored” stall could be quite daunting indeed. The same held true for water fountains: if the one nearest was reserved for whites, as most were according to Merritt, black employees would just have to search the

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<sup>39</sup> On the controversy surrounding General Dynamics' winning of this important contract and its political aftermath, see Roger Franklin, *The Defender: The Story of General Dynamics* (New York: Harper & Row, 1986), 172-218; and Dixon, “McNamara, General Dynamics, and the F-111,” 26-56.

massive plant for another, often at the risk of being disciplined for loafing. Shortly after the awarding of the F-111 contract, however, General Dynamics realized that this most visible form of discrimination would have to be eliminated once and for all. According to janitor Otto Haliburton, under pressure from the PCEEO, the “crutch holes” that black employees had been made to use were torn down at roughly the same time that the Jim Crow signs on the water fountains were removed and replaced by paper cups. Having presided over IAM District 776 for the first two years of the PCEEO’s existence, O. D. Wright had his finger on the pulse of the plant and worried that these actions would lead to a backlash from white members. Fortunately, very little protest ever materialized. “Some of the people in the plant came down here and raised hell with the union wanting to know what we were going to do about it,” Wright recalled. “Of course we said, ‘Hey, that’s the law.’”<sup>40</sup>

If General Dynamics’s decision to eliminate the physical vestiges of segregation was not exactly revolutionary, it nevertheless represented an important softening of the company’s long-held resistance to most forms of interference in its racial policies. Convinced that such changes would not lead to the types of employee protest they had long warned about, company officials soon began experimenting with other sensitive reforms. Although it is more difficult to pin down, there is scattered evidence suggesting that General Dynamics tried to extend its desegregation campaign beyond the formal relationships that existed within the plant gates. As large companies often do, in addition to providing a paycheck to thousands of Fort Worth residents General Dynamics was also

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<sup>40</sup> Deposition of Monroe Merritt, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.* (1974), 15; Deposition of Otto Haliburton, October 11, 1977, Box 5, *ibid*; and O. D. Wright Interview, October 22, 2008 (tape in the author’s possession).

involved in the recreational life of the community. With the help of the employee-run Convair Recreational Association (CRA), company officials organized picnics and barbecues and sponsored a number of other extracurricular activities for its employees and their families. Based on a series of photographs printed in the July 1961 edition of the plant newsletter *Convairity*, African American employees were apparently not only welcome at these functions but also served on the CRA committees that helped organize them. In one interesting photo of a barbecue said to have been attended by some 1,500 employees, black employees and their children are shown intermingling with whites on a miniature train ride set up by the CRA. Another series of articles printed by the in-plant *General Dynamics News* later listed General Dynamics as the sponsor of at least two integrated Little League baseball teams, one of which had placed an African American child at the all-important position of pitcher. While none of these activities fell under the government's jurisdiction and would therefore not have been noticed one way or the other by the PCEEO, General Dynamics's endorsement of integrated recreation at a time when battles continued to rage over even the most seemingly benign forms of segregation would seem to indicate that the company was trying to deal more fairly with its African American employees.<sup>41</sup>

Of course, as more and more civil rights activists were beginning to realize by the early 1960s, the desegregation of restrooms, cafeterias, and other commonly used facilities was merely the tip of the proverbial sword in the battle for equal rights. Momentous as it may have been, General Dynamics' assault on Jim Crow had little

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<sup>41</sup> Various Photos, *Convairity*, July 5, 1961, Folder 17, Box 39, District 776 Papers; "Top Squad-GD/FWRA Indians," *General Dynamics News*, August 21, 1963, Folder 18, Box 44, District 776 Papers; and "Pace-Setters," *General Dynamics News*, May 29, 1963, *ibid*.

impact on the larger problem of employment discrimination that still plagued black aircraft workers. More than a year after company officials signed on to Plans for Progress, General Dynamics's Fort Worth division continued to employ only 183 African Americans out of a total workforce of 11,017. With a grand total of two black workers promoted out of labor and service positions into the category of semi-skilled operative, General Dynamics's efforts under the PCEEO and Plans for Progress were beginning to look suspiciously like the tokenism it had practiced during the PCGC's tenure.<sup>42</sup> As noted above, company officials had initially been able to explain away this imbalance by pointing to the multi-year employment contraction that the plant had undergone beginning in the late 1950s. However, with the securing of the F-111 contract in November 1962 and the thousands of new jobs it promised to deliver, such arguments were becoming more and more difficult to swallow. Thus, in anticipation of the impending employment boom, General Dynamics initiated a campaign to more vigorously advertise its commitment to E.O. 10925 sometime during the first half of 1963. Unfortunately, it is not entirely clear what this drive entailed, but if the company's earlier Plan for Progress was any indication, it is possible to make an educated guess. First and foremost, General Dynamics likely stepped up its recruitment efforts within the area's black schools and colleges in the hopes of encouraging African American students to seek a career in aircraft production. As suggested in the Plans for Progress, this may also have entailed inviting students for tours of the plant and hiring local teachers and counselors during the summer in order to enlist them as unofficial boosters. It stands to reason as well that General Dynamics's officials reached out to individuals already in the

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<sup>42</sup> "Self Analysis Form-General Dynamics," December 15, 1962, Folder "General Dynamics Corp., Progress Report-December 15, 1962," Box 79, RG 40.

plant, either through PCEEO posters aimed at the rank-and-file or merit employment policy notifications for managerial subordinates. As the Fort Worth division had no formal training or apprenticeship programs to speak of, it is doubtful that the company spent much time reviewing either.<sup>43</sup>

Despite General Dynamics's earlier insistence that it would not set numerical targets, rumors also began to circulate at this time that a program was in the works for offering African Americans preferential treatment in hiring. It is possible that such a plan may have been proposed during negotiations between the company, the union, and the government sometime in early 1963. According to O. D. Wright, an official from the Labor Department requested that he and other business agents give black workers super-seniority according to their overall numbers in an effort to help them advance more rapidly into skilled jobs. Given the pedestal upon which District 776 had set its members' seniority rights, Wright unsurprisingly responded to this entreaty with a resounding "hell no." "[Super-seniority] might be right the civil rights way but it's not...a practical way for the union to operate," Wright argued. "We probably would've had a decertification petition filed."<sup>44</sup> This tense exchange was followed in August 1963 by an equally strained conversation between District 776 president Harold Levy and the chief equal employment officer for the Air Force's Dallas Contract Management District Robert Greenwald. During this meeting, Levy discussed a similar plan that company officials were rumored to be considering and expressed grave concern about the implications of providing special treatment to black applicants:

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<sup>43</sup> "Joint Statement on 'Plans for Progress'—General Dynamics Corporation and President's Committee on Equal Employment Opportunity," n/d, Folder "General Dynamics Corp.," Box 6, RG 40.

<sup>44</sup> O. D. Wright Interview, October 22, 2008 (tape in the author's possession).

I informed [Greenwald] that his interpretation of the executive language to General Dynamics brought me to the border of belligerence rather than cooperation and that I took issue with his interpretation that the Negroes should derive special benefits and prior consideration over and above that of white applicants for employment to the extent that jobs would be held open until there was a suitable Negro applicant...It is my feeling that unless positive action is taken by us at this time, that as far as Air Force Plant No. 4 is concerned, the white people of the facility will become the second class citizens from which designation the Negroes are now being relieved.

When Greenwald responded the Levy was looking for trouble before any existed, the district president retorted that it was his job to do so. "I informed him," Levy reported, "that we were in accord and were on record for the support of equal opportunity [but] when we said 'equal opportunity' we meant exactly what Executive Order 10925 said, that there would be no discrimination against anyone because of race, creed, color, or national origin."<sup>45</sup>

Greenwald was at something of a loss when confronted with these statements. On the one hand, Levy was acting in true union fashion by sticking to the letter of the executive order, which said nothing about preferential treatment. On the other hand, however, Greenwald explained that he had his orders and if the union president had a problem he needed to contact Executive Vice Chairman Taylor. Hoping to clear up the matter once and for all, Levy did in fact seek clarification. His first contact was with Vice President Johnson's press secretary George Reedy who informed Levy that Greenwald's interpretation of the executive order was in fact wrong. Hoping to bolster his position even further, Levy next contacted Air Force equal employment representative I. B. Sennett for his explanation. In a September meeting with Sennett, the IAM district president boiled the controversy down to a single question: if fifteen qualified white men

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<sup>45</sup> "Meeting with Robert Greenwald, Chief of Equal Employment Opportunity," August 23, 1963, Folder 8, Box 45, District 776 Papers.



were all vying for a particular job alongside a single African American, would General Dynamics be required to hire the African American? Sennett's equally straightforward response was that the first man with the necessary qualifications should be hired regardless of whether he was black or white. Furthermore, Sennett declared, "the Air Force would not interfere with contractual language or its interpretation unless the contract spelled out discrimination in employment." In issuing this statement, Sennett not only vindicated Levy's position, but he also demonstrated just how ambiguous the PCEEO's policy on affirmative action was. That two officials from the same branch of the military could have such different interpretations of a single executive order was perhaps the best indication that the federal government's commitment to equal employment was not as clear as some might think.<sup>46</sup>

Besides what they reveal about the PCEEO and E.O. 10925, these exchanges also raise questions about District 776's stance on employment discrimination. Were Levy and Wright's rejections of super-seniority driven by racism, or was there some deeper motivation such as economics or politics at work? One way to answer this question is to examine an incident that took place prior to the controversy over preferential treatment. Shortly after he was defeated for reelection to the office of district president in 1961, Floyd Garrett had negotiated a series of stipulated agreements with General Dynamics guaranteeing that he and his departing staff members would be reinstated to hourly positions in the plant. Normally such an arrangement would not have presented too much of a problem since the union's contracts stipulated that officers would be reinstated to their former positions whenever possible. However, during the years leading up to the F-

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<sup>46</sup> "Meeting of 17 September 1963," September 18, 1963, Folder 8, Box 45, District 776 Papers.

111 contract layoffs remained a recurrent issue—according to a report delivered by District 776 representative E. H. Jennings to the Texas State Council of Machinists in July 1962, few departments in the plant had anyone left with less than ten years seniority, and many others were already laying off employees with more than fifteen years. So when it became known that Garrett’s staff members were not only being reinstated to jobs they had never held but were to be given top seniority to boot, the anger of many rank-and-file members boiled over. As Garrett’s successor in the office of district president, Wright maintained that the first year of his two year term was almost continuously occupied by efforts to resolve the dozens of grievances filed as a result of these arrangements. Whether or not these rank-and-file protests would have escalated to more drastic measures if Garrett and his staff had been black is impossible to say. What is clear, however, is that when it came to protecting their jobs and hard-earned seniority rights against arbitrary abuse, the very same economic self-interest that defined the relationship between District 776 and management also applied to relations between rank-and-file members and their white officers.<sup>47</sup> Considered against this backdrop, then, Wright and Levy’s opposition to preferential hiring for African Americans appears to have been less about racial solidarity than political survival. Any agreement that might have undermined seniority rights, regardless of whether it favored black or white, was bound to provoke an electoral backlash. The mere fact that Garrett and his staff had waited until they were lame ducks to even attempt such an arrangement was proof that

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<sup>47</sup> O. D. Wright Interview, October 22, 2008 (tape in the author’s possession); and “Official Proceedings, July 13-15, 1962,” Folder 5, Box 32, Collection AR 109, William Clitheroe Papers, University of Texas at Arlington Special Collections.

the possibility of a reaction was widely recognized among the district's politically aware leadership.

Unfortunately for Levy, Wright, and other union officers, the issue of whether black workers should enjoy favored status was not destined to fade away. By 1963, calls for preferential hiring were growing louder as civil rights activists became increasingly disenchanted with the glacial pace of reform and the Kennedy administration's inability to reduce the rate of industrial unemployment among African Americans, which continued to be twice that of whites. Much to the relief of organized labor, most of the middle-class leaders of the NAACP and National Urban League continued to insist that colorblind non-discrimination was the best means of solving the economic crisis. Yet for a younger generation of activists, the limitations of this incremental strategy were beginning to manifest themselves in demands for something different. Following the horror of the state-sanctioned violence against peaceful protesters in Birmingham, Alabama, the militant leaders of several northern inner-city branches of CORE began organizing sit-ins and boycotts against discriminatory employers. While there was nothing unusual about these types of direct action protests, it was the activists' demands that gained them widespread attention during the summer of 1963. Rather than call for the mere opening of discriminatory workplaces, these local CORE leaders insisted that a certain percentage of jobs should be set aside for African Americans as a way of correcting the legacy of past racial practices. Fueled by national media attention, similar

demands were soon being voiced by local civil rights activists in other areas of the country.<sup>48</sup>

Though there is no evidence to suggest that General Dynamics actually instituted a preferential hiring system at this time—it would be another four years, in fact, before employment levels at the plant began to increase significantly in response to the F-111 contract—the growing crescendo of voices demanding compensatory action for African Americans was no doubt on Levy’s mind throughout the summer of 1963. This issue was also on the minds of administration officials, many of whom were becoming equally wary of the outcry for preferential hiring. In an August press conference Kennedy professed his belief that it would be a mistake to start assigning quotas in order to correct past abuses. “I don’t think we can undo the past,” Kennedy declared. “In fact, the past is going to be with us for a good many years in uneducated men and women who lost their chance for a decent education. We have to do the best we can now...I don’t think quotas are a good idea...I think we’d get into a good deal of trouble.” The vice president echoed this sentiment, maintaining that quotas would merely serve to “[freeze] the minority group status system in perpetuity.”<sup>49</sup> These public pronouncements ran up against the language of E.O. 10925 and the PCEEO’s program, both of which were just ambiguous enough that anyone who really wanted to could use them to argue for numerical targets and racial preferences. First and foremost were the compliance reports that the committee required of all contractors: having mandated a statistical summary to measure the extent of discrimination, it was but a short step to concluding that numerical targets

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<sup>48</sup> Graham, *Civil Rights Era*, 100-02, 104-06, 111-13; and MacLean, *Freedom is Not Enough*, 51-58.

<sup>49</sup> Quoted in Graham, *Civil Rights Era*, 106, 110.

should also be used as a measure of progress. Also, no matter how much Kennedy, Johnson, and other administration figures rejected such interpretations, the executive order's failure to adequately define the meaning of affirmative action left ample room for competing definitions. Combine this with Theodore Kheel's earlier suggestions that the PCEEO should focus on industry-wide rather than individual results, and the makings of a federally mandated hiring quota system were not far off. For the time being, though, the PCEEO and its allies remained true to their stated belief in colorblind anti-discrimination, leaving the question of racial preferences and quotas to academicians and activists.<sup>50</sup>

At the same time that it was beginning to grapple with the issue of preferential treatment for African Americans, the PCEEO was also debating the role that organized labor should play in the federal government's anti-discrimination campaigns. Revealing as they were, the tense exchanges between Wright, Levy, and federal officials were only the most recent manifestation of a problem that had existed since the PCEEO was created. From the very beginning, the Kennedy administration recognized that their close political connections to the labor movement together with their need to outdo Eisenhower's PCGC required that unions somehow be brought under the jurisdiction of the government's equal employment program. For their own part, national labor leaders such as UAW president Walter Reuther and AFL-CIO president George Meany—both of

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<sup>50</sup> Though it was widely condemned by both liberals and conservatives, in June 1963 the Labor Department did issue new regulations for the Bureau of Apprenticeship Training that many concluded would require the historically exclusionary construction industry to institute racial quotas. Secretary of Labor Willard Wirtz quickly disavowed this, however, amid a firestorm of criticism. A similar proposal made by the president of a private firm shortly after Kennedy's assassination was also rescinded. See Graham, *Civil Rights Era*, 114-16; and Moreno, *From Direct Action to Affirmative Action*, 193-98.

whom served as public members of the PCEEO—welcomed certain forms of federal executive oversight, seeing this as a useful way to discipline segregationist local unions. The dilemma was how exactly to accomplish this. In contrast to the contractors who were obligated to heed the federally dictated terms of their business agreements, the government had little leverage over unions who bargained with these same companies. During the drafting of E.O. 10925, Johnson tried to get around this by proposing that labor organizations be included alongside employers in the section that mandated sanctions for non-compliance, but he was opposed by the Labor Department. Instead, a compromise solution was worked out whereby the order was broadened to cover all “organizations, individuals, or groups.” Like the vague language on affirmative action, the ambiguity of this statement pretty well characterized the PCEEO’s relationship to organized labor.<sup>51</sup>

Having made the politically necessary move of loosely including unions as parties to the executive order, both the Kennedy administration and the PCEEO generally focused their attention elsewhere. Though national union leaders would publicly pledge their support for the committee’s efforts, episodes such as IAM president A. J. Hayes’s intervention in the Lockheed case were rare. This fact was not lost on the PCEEO’s critics, many of whom insisted that employment discrimination would never be completely stamped out until the government took a hard-line approach toward unions that sanctioned disparate treatment of African Americans. Though these detractors specifically had in mind the exclusionary unions that dominated the construction industry, their critique was equally valid for the many southern unions that continued to

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<sup>51</sup> Graham, *Civil Rights Era*, 36-37.

limit opportunities for black members through segregated locals and seniority lists. Hoping to deflect such criticisms and raise the stature of the committee, in early 1962 Johnson began calling for the creation of a voluntary program for organized labor similar to Plans for Progress. Formalized several months later, the so-called Union Program for Fair Practices was signed by 119 international unions, all of whom voluntarily pledged to step up their efforts against employment discrimination. Like the Plans for Progress, however, the statements signed by these unions were generally quite non-committal. A sample program prepared by the AFL-CIO's Civil Rights Department, for example, obliged signing unions to accept members regardless of race and refuse charters to segregated locals, but contained no instructions on how discriminatory seniority agreements or lines of progression might be reformed. Notwithstanding these shortcomings, Herbert Hill and the NAACP praised the union program as welcome news but warned that their continued support would depend upon the signatories' willingness to do more than make rhetorical pledges.<sup>52</sup>

In spite of the glowing press that the effort received, there were a number of unions that refused to join the Union Program for Fair Practices. Among these hold-outs, surprisingly, were A. J. Hayes and the IAM. Despite his own moderate record on civil rights and the attempts he had made since the early 1950s to abolish discrimination within the IAM, Hayes worried that signing one of these pledges might be construed as an admission that the union was currently discriminating against African Americans.

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<sup>52</sup> Brugger, "We Mean Business," 38-41, 54-55; "Joint Statement on Union Program for Fair Practices," n/d, Folder 6, Box 2793, Collection No. L1989-17, AFL-CIO Southern Area Civil Rights Department Collection, Southern Labor Archives, Georgia State University, Atlanta; and "Eighty-Seven Unions to Sign Equality Pledge," *New York Times*, November 4, 1962.

When a similar pledge was presented to Hayes by Kennedy's omnibus Civil Rights Commission some months earlier, the influential IAM president had "put the labor members of the committee on notice that the Machinists would not sign the pledge as proposed by the Department of Labor, but would instead furnish a signed statement of the IAM's policy on non-discrimination." When Hayes presented this action to the union's executive council in March 1962, its members supported his wary interpretation of the pledge and authorized the independent drafting of a more specific statement against discrimination. These same thoughts were likely on Hayes's mind when he balked at the PCEEO's Union Program: fearful of the potential legal ramifications, the IAM choose instead to remain as independent as possible. Although there is evidence suggesting that the IAM may have drafted a statement in preparation for joining the Program, the PCEEO still did not list the union as a member when it issued its annual report in November 1963.<sup>53</sup>

As it turned out, Hayes's wariness of the Union Program for Fair Practices was ultimately misplaced. Following the initial signing ceremony, the well-publicized effort quickly faded from the view of the national press, which instead turned its attention to a report released by the Southern Regional Council concluding that Plans for Progress had been "largely meaningless." Providing a clear signal that the program had only a limited impact on the prevailing practices of many unions, the NAACP stepped up a campaign it had initiated earlier to legally decertify locals that continued to discriminate against

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<sup>53</sup> "Non-Discriminatory Pledge to Civil Rights Commission," n/d, Folder "Council Minutes, March 20-24, 1962," Box 36, Collection No. L1992-14, International Association of Machinists and Aerospace Workers Records, Southern Labor Archives, Georgia State University, Atlanta; and PCEEO, "Report to the President by the President's Committee on Equal Employment Opportunity," (Washington, D.C.: GPO, November 26, 1963), 121-27.



African Americans. The always irascible Herbert Hill also had no problem finding examples of discrimination to spotlight within the exclusionary construction unions, ultimately leading him to denounce the nation's labor organizations as "reactionary, bureaucratic defenders of the status quo."<sup>54</sup>

Back in Fort Worth, business continued as usual for District 776. Neither the announcement of the Union Program for Fair Practices nor Hayes's refusal to join it appears to have elicited a response from local IAM officials. Other than a few isolated protests against the desegregation of facilities at General Dynamics and Levy's skirmish over quotas during the summer, union leaders had little contact with the PCEEEO and members experienced few shopfloor adjustments as a result of E.O. 10925. The only other time that the committee's campaign was ever mentioned in District 776's records, in fact, came during the 1962 contract negotiations. In their initial presentation of demands, IAM negotiators requested that General Dynamics add Yom Kippur and Juneteenth as recognized holidays in order to demonstrate management's commitment to equal employment. When union officials explained that this was only fitting given their own acceptance of General Dynamics's new policies, they were greeted with "hilarious laughter" from company negotiators. Though some might argue that District 776's call for separate Jewish and African American holidays was just a cynical ploy to take advantage of the PCEEEO's campaign for equal employment, these demands were consistent with the union's long tradition of pragmatic, bread-and-butter industrial

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<sup>54</sup> "U.S. Prodding South on Hiring Negroes," *New York Times*, March 1, 1963; "Unions Assailed on Rights Issue," *New York Times*, November 10, 1963. On the NAACP's expanding legal campaign against discriminatory unions, see Sophia Z. Lee, "Hotspots in a Cold War: The NAACP's Postwar Workplace Constitutionalism, 1948-1964," *Law and History Review*, 26 (Summer 2008), 327-78; and Botson, *Labor, Civil Rights, and the Hughes Tool Company*, 172-86.

unionism. Just as everyone stood to suffer when the company tried to circumvent or narrow the contract, union leaders also recognized how everyone stood to benefit if the contract could be expanded to include new holidays. If this was not exactly the most progressive attitude toward civil rights, neither was it completely reactionary. Interestingly, the PCEEEO actually intervened on the side of the IAM during the negotiations. Following a month-long impasse between the parties, Executive Vice Chairman Taylor ordered General Dynamics “not to come back [to the bargaining table] until they cleaned up the underbrush, meaning go to negotiating and come to an agreement.”<sup>55</sup>

Of course, holidays were not jobs. Short of demanding that janitors be considered for upgrades and pay raises, District 776 leaders made little attempt to open up General Dynamics’s workforce to African Americans and other minorities during the PCEEEO’s tenure.<sup>56</sup> Instead, IAM negotiators concentrated on improving the job security of all employees by once again renewing their long-time demands for plant-wide seniority and expanded regression rights. While the former concession continued to remain elusive, local union officials were able to secure an important change in the 1960 contract related to regression rights for employees caught up in the aircraft industry’s all-too-frequent layoffs. Under earlier agreements, those who the company callously referred to as “surplus employees” could only avoid dismissal by bumping into jobs they had previously held as a matter of company record. For most workers, this meant that their options during a

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<sup>55</sup> O. D. Wright Interview, October 22, 2008 (tape in the author’s possession); “Meeting No. 1,” June 22, 1962, Folder 12, Box 42, District 776 Papers; and “Meeting No. 12,” August 1, 1962, *ibid*.

<sup>56</sup> For examples of the union’s limited efforts to bargain on behalf of black janitors, see “Job Study Notes,” April 14, 1960, Folder 11, Box 36, District 776 Papers; and “Job Study Minutes,” September 4, 1962, Folder 9, Box 42, *ibid*.

layoff were limited to a single department since permanent inter-departmental transfers tended to be rare. With the new regression system, however, General Dynamics and District 776 negotiators created a system of occupational groupings known as job trees. Unlike the old system in which an employee's classification was tied to his particular department, these job trees often stretched across departmental lines and grouped together different classifications whose employees all used similar skills in their work. Now in the event of a lay-off, employees with more than five years seniority (a threshold that was later decreased to three years) could automatically bump less senior workers from any lower classified position within their job tree regardless of the department it was in or their own work history. To take a specific example, under the old system, an individual classified as a field and service mechanic—a skilled position that required extensive knowledge of all of an aircraft's various mechanical, electrical, and structural components—could only bump into the semi-skilled position of assembler if he had previously held that job, and even then he was confined to those specific departments in which he had already worked. With the institution of the job trees, however, this skilled mechanic would now have full access to the assembler classification in any department throughout the plant assuming that his seniority was greater than those he intended to bump.<sup>57</sup>

Union officials lauded the 1960 contract as a revolutionary agreement, seeing it as a partial fulfillment of their historic drive to better insulate employees from the frequent

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<sup>57</sup> For a complete list of job trees, see Appendix F, "Agreement between General Dynamics, Fort Worth Division, and International Association of Machinists and Aerospace Workers, AFL-CIO, and Aeronautical Industrial District Lodge No. 776," January 24, 1966, Reel 72, Research Department, International Association of Machinists and Aerospace Workers Records, State Historical Society of Wisconsin, Madison.

lay-offs that plagued the aircraft industry. And indeed, when compared to previous agreements that had been signed since 1943, the new contract and the job trees it established did dramatically expand the rights of thousands of General Dynamics's production workers. Over the next several years of bargaining, the job trees were expanded and eventually covered all production employees throughout the plant. But the regression system was not without its weaknesses. First and foremost, although every qualified senior employee theoretically stood to benefit from the arrangement, in practice the new contract favored skilled workers in higher classifications much more than those at the bottom of the plant hierarchy for the simple fact that there were fewer positions into which members of the latter group could bump. Still disproportionately concentrated within the plant's lower echelons after years of managerial discrimination, African Americans gained few new options under the new job trees. Furthermore, because they applied only to layoffs, the trees would quickly come to be criticized by low skilled employees for sacrificing their jobs without providing any corresponding promotional rights to higher classifications during buildups. While the regression system did not necessarily harm them, what black workers really needed was an arrangement which allowed them to use their seniority to promote across departmental lines into higher paying jobs, a concession that General Dynamics had long been successful in resisting as a usurpation of its managerial prerogative. By the time Fort Worth's African American population finally gained the legal resources needed to fully challenge employment discrimination in 1964, this issue would become a major point of contention between themselves, plant management, and union leaders.<sup>58</sup>

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<sup>58</sup> "Contract Improves Wages, Insurance, Retirement" and "First Job Family

In the fall of 1963, however, none of this was much noticed by the PCEEO. Although the committee continued its efforts to more strongly enforce compliance and even announced the formation of a special independent advisory council for overseeing and expanding Plans for Progress, the nation's attention was becoming much more sharply focused on the emerging battles over the administration's much anticipated civil rights bill. With Kennedy's assassination in November and Johnson's pledge to fulfill his predecessor's legislative program, the PCEEO's remaining members complained that the body was growing increasingly disordered and marginalized. The final blow to the committee came in the summer of 1964 with passage of the landmark Civil Rights Act and its creation of the new Equal Employment Opportunity Commission (EEOC). Unlike the PCEEO, the new EEOC was responsible for enforcing non-discrimination among virtually every employer in the nation rather than just government contractors. The magnitude of this task required a great deal of planning and coordination by the now transitionally minded PCEEO, which increasingly left its compliance duties to various federal contracting agencies and Plans for Progress signers throughout the year. Once the EEOC became operational in June 1965, the fate of the PCEEO was sealed: within three months, the alternately celebrated and maligned committee was abolished and its contract compliance duties were transferred to the Department of Labor. For the weary proponents of fair employment, their hopes for equality were once again placed in the hands of another new and untested federal agency.<sup>59</sup>

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Grouping for Regression Purposes Announced," *IAM News*, October 1960, Folder 7, Box 38, District 776 Papers; and O. D. Wright Interview, October 22, 2008 (tape in the author's possession).

<sup>59</sup> Brugger, "We Mean Business," 86-90; and Graham, *Civil Rights Era*, 156-62, 180-89.

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In a letter written to his subordinates in June 1964, General Dynamics president Roger Lewis offered a succinct summary of his and many other companies' equal employment efforts during the years of the PCEEEO. "The period during which we have operated under the 'Plans for Progress' program has generally been one of a declining work force," Lewis recalled. "Consequently, it has been difficult for us to demonstrate large scale progress in the employment of minority group members." Though the members of the PCEEEO proudly juxtaposed the success rate of their committee, which was said to have satisfactorily adjusted 72 percent of the 2,111 complaints it had received through October 1963, against the dismal record of Eisenhower's PCGC, Lewis's words indicated the severe limitations that remained hidden behind such broad statistics. From the time that E.O. 10925 was issued in March 1961 to the passage of the Civil Rights Act some three years later, the number of African Americans employed in the Fort Worth aircraft industry—indeed, throughout the entire national industry—actually declined. While a great deal of this was due to a larger shift from airframe production to more technically complex products such as missiles and space vehicles, the role of the PCEEEO should not be discounted. Through its oft-criticized attempts to gain voluntary compliance from employers and its unwillingness to fully exercise the potent weapon of contract cancellation, the PCEEEO essentially squandered much of the enforcement authority that had been conferred upon it. Even after the committee tried to distance itself from Plans for Progress, the suspicions about mutual back-scratching were too entrenched to be shaken. Considered alongside the PCEEEO's failure to adequately

explain what exactly was meant by the soon-to-be controversial phrase affirmative action, and the situation practically invited token compliance by the nation's largest employers.<sup>60</sup>

On an even larger note, the committee's experiences in Fort Worth also called into question the gains that could be realized through a too-exclusive focus upon the employment practices of government contractors. While this enforcement strategy did provide an important opening through which the federal government could assert its authority in the workplace, its effectiveness at securing equal employment opportunity was severely hindered by that same government's unwillingness to counteract the economic limitations of the defense contracting industry. In the absence of economic planning or some other system of ensuring job security, even the awarding of the multibillion dollar F-111 contract to General Dynamics, an event which created the perfect storm of public scrutiny and mushrooming labor demands, failed to have an immediate impact upon the prospects of most African Americans. Ultimately, the success of the PCEEO's contract-centered strategy depended upon the ability of employers to not only maintain but actually expand their workforces such that both black and white workers could share equally in the resulting prosperity. Put in broader terms, by ignoring the structural problems that necessarily accompanied a system of winner-take-all, free market corporate competition, liberal policymakers ensured that their more focused efforts at civil rights reform would fall short.

Still, regardless of the overall lack of improvement in the employment situation facing African American workers, the PCEEO did bring about some small changes

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<sup>60</sup> Roger Lewis to Division Managers and Corporate Officers, June 3, 1964, Folder "General Dynamics Corp.," Box 6, RG 40; PCEEO, "Report to the President," 4; and Northrup, *Negro in the Aerospace Industry*, 31.

within Fort Worth's most important industry. For one thing, Plans for Progress helped lower the attitudinal barriers that many employers had erected against equal employment and convinced them that civil rights made good business sense. This was especially the case for General Dynamics, which had long been saddled with a well-deserved reputation for obstructionism inherited from its predecessor Convair. This shift in managerial perspective would become especially apparent once the company's workforce began to feel the delayed effects of the massive F-111 contract beginning in 1966. The PCEEEO also put an end to the system of Jim Crow that had long existed in General Dynamics's facilities. While this did nothing to secure new jobs for African Americans, the interracial socialization that desegregation demanded went a long way toward easing the transition to equal employment in the years to come. The utility of this would soon become apparent when, just as they had in the past, African Americans were once again forced to turn to the federal government in order to accomplish this equality. Unlike previous interventions by Washington, however, this time black workers would be backed up by the full statutory power of the state. Virtually undisturbed after twenty years of executive orders and voluntary compliance, the barricades of employment discrimination would finally meet a worthy opponent with the passage of Title VII and the Civil Rights Act of 1964.



## CHAPTER 5

### **“WE ARE DETERMINED THAT THESE PEOPLE GET A FAIR SHAKE”: THE IMPACT OF TITLE VII, 1965-1980**

On October 5, 1977, a 61-year old African American man named Chance Rubell sat before a panel of lawyers in downtown Fort Worth to provide them with details about the discrimination he faced over nearly three decades of employment at General Dynamics. Despite having a degree from a four-year business college, Rubell had been hired as a janitor in 1950, a position he would hold for the next seventeen years. In the decade since employment discrimination was outlawed by Title VII of the 1964 Civil Rights Act, Rubell had received two promotions, neither of which was very satisfying—surely, he insisted, a man with his education was qualified to do more than work as a power truck operator or maintenance oiler. “[With] the schooling I had,” Rubell asserted, “I should have been more than a labor grade eleven, because I seen other people coming in the department get transferred and didn’t have as much courses as I did.” Rather than upgrade senior African Americans or place them in departments where they might have more opportunity for advancement, Rubell argued that General Dynamics routinely insisted on hiring off the street and often retaliated against those employees who complained or pressed too hard for a promotion. When a lawyer for the aircraft manufacturer defended his client by pointing out that such practices had once been considered normal but were no longer tolerated, Rubell strenuously objected: “Well, I’ll tell you what, you can paint yourself black like me and you’ll know what is happening at GD now today.”<sup>1</sup>

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<sup>1</sup> Deposition of Chance Rubell, October 5, 1977, Box 5, *EEOC vs. General Dynamics, et al.* (1974), 9-16.

In contrast to Rubell's tragic testimony, the story presented by 40-year old Robert Dixon, Jr., also an African American, pointed in a much different direction. By all accounts, Dixon led a charmed life during his time at General Dynamics. Although he had no prior experience with aircraft manufacturing, the company had hired him onto the production line as a parts fabricator in 1964. Over the next several years, Dixon steadily advanced through a number of other semi-skilled positions before finally settling into the highly skilled classification of multi-dimension milling machinist. Besides the obvious benefit of a large weekly paycheck, Dixon's position near the top of the plant's classification hierarchy also insulated him from the layoffs that frequently plagued the industry. Even after the loss of a major military contract sent General Dynamics's demand for labor into a tailspin during the early 1970s, Dixon managed to evade dismissal for over a year. When asked what exactly he hoped to achieve through his testimony, Dixon admitted that he personally had nothing to gain. Instead, his main concern was to improve the lot of other African Americans who remained less fortunate than him. "I want justification," Dixon concluded, "to prove that General Dynamics were [sic] discriminating out there in that plant."<sup>2</sup>

Offered a mere five days apart in support of a class action lawsuit filed by the Equal Employment Opportunity Commission (EEOC), Rubell and Dixon's depositions reveal a great deal about the Fort Worth aircraft industry's ambiguous response to the fair employment mandate contained in the Civil Rights Act. On the one hand, Rubell's story would have been immediately recognized by thousands of other African Americans who had faced similar challenges in the Fort Worth aircraft plants. During the days and years

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<sup>2</sup> Deposition of Robert Hubbard Dixon, Jr., October 10, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 8-16.

following his testimony, a parade of witnesses from both General Dynamics and Bell Helicopter came forward to reveal the continued existence of a pattern of racial inequality that included discrimination in hiring, upgrades, layoffs, and discipline. No matter how much company lawyers tried to spin these complaints, such stories not only demonstrated the failure of the “voluntary compliance” methods endorsed by the President’s Committee on Government Contracts (PCGC) and the President’s Committee on Equal Employment Opportunity (PCEEO) but also raised questions about the enforcement of Title VII. On the other hand, however, Dixon’s testimony would seem to suggest that for all the abuses that remained, there was at least some truth in General Dynamics’s assertion that such practices were on the wane. Regardless of the delay and his own thoughts on the inadequacy of the jobs he was offered, even Rubell had ultimately been promoted not once but twice within a short time following the passage of Title VII, as were a significant number of his fellow witnesses. Despite their failure to immediately alter the employment practices of Fort Worth aircraft manufacturers, in the long-run the investigations of the PCGC and PCEEO created an atmosphere in which management was much more open to making adjustments once equal employment became the law of the land. During the late 1960s this shift in managerial consciousness made tales such as Dixon’s ever more common and serves to complicate current scholarly assumptions regarding the intransigent response of southern employers to Title VII.<sup>3</sup> If this

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<sup>3</sup> With few exceptions, scholars studying the response of southern employers to Title VII have focused on industries that were geared primarily toward private consumer markets. See Timothy Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill: University of North Carolina Press, 1999); Timothy Minchin, *The Color of Work: The Struggle for Civil Rights in the Southern Paper Industry, 1945-1980* (Chapel Hill: University of North Carolina Press, 2001); Timothy Minchin, *From Rights to Economics: The Ongoing Struggle for Black*

acquiescence was far from the kind of proactive support for equal employment that the nation's most prominent civil rights activists would have liked to see, it was nevertheless notable when considered alongside the neglect and outright resistance practiced by most other southern employers.

As had so often been the case in the past, the fortunes of Rubell, Dixon, and many other black aircraft workers were ultimately much less dependent upon managerial attitudes toward workplace equality than they were upon the economic welfare of their employers. So long as General Dynamics and Bell remained busy manufacturing jets and helicopters to supply the escalating war in Vietnam, the employment prospects of Dixon and other African Americans remained quite good after 1964. This prosperity quickly began to change in the summer of 1970, however, when General Dynamics lost a hard-fought bid for a major new contract. Almost overnight, unemployment skyrocketed and hundreds of black workers were dismissed from jobs that they had only recently gained. Like the presidential committees and executive orders that preceded them, neither the EEOC nor the Civil Rights Act were set up to address the basic structural problems—namely the dependence upon what were often ephemeral defense contracts—that accounted for the aircraft industry's volatile demand for labor. In the absence of some form of long-range federally mandated economic planning to counteract this instability, Title VII was destined to remain, as Timothy Minchin has observed, “far more

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*Equality in the U.S. South* (Gainesville: University of Florida Press, 2007), 28-58, 82-134; Nancy MacLean, *Freedom is Not Enough: The Opening of the American Workplace* (Cambridge, MA: Harvard University Press, 2006), 77-89; Judith Stein, *Running Steel, Running America: Race, Economic Policy, and the Decline of Liberalism* (Chapel Hill: University of North Carolina Press, 1998), 69-195; and Robert Samuel Smith, *Race, Labor, and Civil Rights: Griggs vs. Duke Power and the Struggle for Equal Employment Opportunity* (Baton Rouge: Louisiana State University Press, 2008).

effective as a weapon of protest than as a weapon of change” for the black aircraft workers of Fort Worth.<sup>4</sup>

As had been the case in years past, the aircraft unions remained one of the most important vehicles for this protest. Unlike in many areas of the South where Title VII was greeted by white unionists with a renewed determination to maintain segregated job monopolies, the members of International Association of Machinists (IAM) District Lodge 776 and United Auto Workers (UAW) Local 218 offered little resistance to the post-1964 integration of General Dynamics and Bell.<sup>5</sup> Negotiated before either company employed large numbers of African Americans, local union contracts remained formally colorblind and excluded the types of discriminatory seniority practices and segregated classifications seen elsewhere. This is not to say that either union was entirely free of

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<sup>4</sup> Minchin, *Color of Work*, 5. For broader histories dealing with the impact of the Civil Rights Act and the problems inherent within it, see MacLean, *Freedom is Not Enough*; Terry H. Anderson, *The Pursuit of Fairness: A History of Affirmative Action* (New York: Oxford University Press, 2004); Hugh Davis Graham, *The Civil Rights Era: Origins and Development of National Policy, 1960-1972* (New York: Oxford University Press, 1990), 125-52, 177-254; Hugh Davis Graham, *Collision Course: The Strange Convergence of Affirmative Action and Immigration Policy in America* (New York: Oxford University Press, 2002); and Herman Belz, *Equality Transformed: A Quarter Century of Affirmative Action* (New Brunswick, NJ: Transaction Publishers, 1991).

<sup>5</sup> Again, Timothy Minchin provides the best case studies of local union opposition to Title VII and civil rights. See Minchin, *Hiring the Black Worker*, 233-63; Minchin, *Color of Work*, 73-120, 163-84; and Timothy Minchin, “Black Activism, the 1964 Civil Rights Act, and the Racial Integration of the Southern Textile Industry,” *Journal of Southern History* 65, No. 4 (November 1999), 809-44. Also see Herbert Hill, “Black Workers, Organized Labor, and Title VII of the Civil Rights Act of 1964: Legislative History and Litigation Record,” in *Race in America: The Struggle for Equality*, eds. Herbert Hill and James E. Jones, Jr. (Madison: University of Wisconsin Press, 1993), 263-341; Venus Green, *Race on the Line: Gender, Labor, and Technology in the Bell System, 1880-1980* (Durham, NC: Duke University Press, 2001), 195-226; Paul Moreno, *Black Americans and Organized Labor: A New History* (Baton Rouge: Louisiana State University Press, 2006), 252-84; and Eric Arnesen, *Brotherhoods of Color: Black Railroad Workers and the Struggle for Equality* (Cambridge, MA: Harvard University Press, 2001), 237-47.

prejudice—in their heightened state of awareness about civil rights, many African Americans offered complaints against the unions regarding both real and perceived injustices. A number of witnesses (Rubell and Dixon among them) insisted that in the wake of the 1964 act local IAM and UAW officials often seemed reluctant to represent black workers with shopfloor grievances. Still others expressed concern that the IAM's complicated layoff procedures protected skilled workers, a group that remained predominately white, by offering up the unskilled jobs still held by many black workers. On the whole, however, the aircraft unions weathered the storm of workplace integration with great aplomb. Whatever unfair provisions the local IAM and UAW contracts contained, they were generally aimed at protecting workers with seniority at the expense of those without and thus affected whites at least as much as blacks. Ultimately, this commitment to a moderate colorblind unionism revealed more about the structural employment challenges facing organized labor in the unstable aircraft industry than it did about the unions' approach to race relations.

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If the Civil Rights Act was not the culmination of the struggle for black equality as many scholars have argued, it certainly was among the movement's proudest and most groundbreaking achievements.<sup>6</sup> Signed by President Lyndon B. Johnson on July 2, 1964,

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<sup>6</sup> There are far too many fine examples of scholarship dealing with the so-called "classical" period of civil rights from 1954 to 1964 to make a comprehensive list. Some of the best include John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Urbana: University of Illinois Press, 1994); Glenn Eskew, *But for Birmingham: The Local and National Movements in the Civil Rights Struggle* (Chapel Hill: University of North Carolina Press, 1997); and Taylor Branch, *Parting the Waters: America in the King Years* (New York: Simon and Schuster, 1988). Recently this focus has begun to come under fire from historians seeking to expand the movement both forward and backward in time. See Jacquelyn Dowd Hall, "The Long Civil Rights

the law forbade segregation in public accommodations, outlawed discrimination by government agencies receiving federal funding, and provided new weapons in the decade-long battle over school integration. For African Americans, women, and a host of other minority workers who had traditionally been the targets of employment discrimination, the most important feature of the act was Title VII:

It shall be an unlawful employment practice for an employer 1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or 2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.<sup>7</sup>

To enforce this provision, the law created the EEOC and gave it the power to investigate and conciliate complaints of discrimination. Unlike the three largely symbolic fair employment agencies that preceded it—the Fair Employment Practice Committee (FEPC), the PCGC, and the PCEEO—the EEOC's mandate extended far beyond government contractors to include virtually all employers engaged in interstate commerce. Furthermore, whereas all three of these bureaucratic predecessors had been products of executive orders and were therefore granted only limited enforcement powers, the statutorily created EEOC had the power to authorize lawsuits by individual complainants against employers who refused to comply.<sup>8</sup>

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Movement and the Political Uses of the Past,” *Journal of American History*, 91 (March 2005), 1233-63; and Charles W. Eagles, “Toward New Histories of the Civil Rights Era,” *Journal of Southern History*, 66 (November 2000), 815-48.

<sup>7</sup> *Civil Rights Act of 1964*, Title VII, sec. 703, July 2, 1964, <http://www.ourdocuments.gov/doc.php?flash=old&doc=97&page=transcript> (accessed August 6, 2010).

<sup>8</sup> For detailed accounts of the political struggles to secure passage of the Civil Rights Act, see Graham, *Civil Rights Era*, 125-52, 420-49; Paul Moreno, *From Direct*

To those who had been struggling for a fair employment law since World War II, the Civil Rights Act represented a second Emancipation Proclamation for black workers. Speaking on behalf of the National Association for the Advancement of Colored People (NAACP), Roy Wilkins greeted the law's passage with the exclamation that Congress had finally acknowledged that "the Negro is a constitutional citizen."<sup>9</sup> Having taken the lead in pressing for inclusion of a fair employment practices provision, the AFL-CIO also joined in the praise. When Alabama Senator Lister Hill attempted to scuttle the bill by arguing that it would undermine existing seniority systems and lead to the decertification of many unions, the AFL-CIO Civil Rights Department issued pamphlets to all central labor councils disputing this: "Rather than undermining union seniority systems, or interfering with union representational rights, the bill would actually strengthen them by depriving non-union employers of the 'advantage' they now have over unions and unionized employers in being able to practice racial discrimination in employment policies without the risk of running afoul of *existing* federal law." "Racial discrimination in employment," the pamphlet went on to conclude, "undermines the solidarity of working people, which is the basis of the labor movement's strength." Hoping to further press these points in the wake of the act's passage, AFL-CIO president George Meany drafted a letter to central labor councils across the nation in which he urged them "to

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*Action to Affirmative Action: Fair Employment Law and Policy in America, 1933-1972* (Baton Rouge: Louisiana State University Press, 1997), 199-266; Stein, *Running Steel, Running America*, 69-88; and Smith, *Race, Labor, and Civil Rights*, 24-30.

<sup>9</sup> Wilkins is quoted in MacLean, *Freedom is Not Enough*, 71. On the NAACP's role in the passage of the Civil Rights Act, see Gilbert Jonas, *Freedom's Sword: The NAACP and the Struggle Against Racism in America, 1909-1969* (New York: Routledge, 2005), 193-201.



exert maximum leadership to bring about massive compliance in every phase of community life.”<sup>10</sup>

Sentiment toward Title VII among the unions in Fort Worth’s aircraft industry generally matched that of the AFL-CIO. When delegates to the IAM’s convention in 1964 moved that the union should take more affirmative steps toward fulfilling the dictates of the Civil Rights Act, the resolutions committee concluded that the union already had a strong anti-discrimination policy but concurred with the intent of the motion all the same. The rank-and-file reaffirmed this careful affirmative stance once more when the convention reconvened in 1968. “Although the effects of this act and its administration have not been seriously felt by this union,” the executive officers reported, “it can be anticipated that this act [sic], like Landrum-Griffin, will be a new source of legal problems by some who may feel that they have been discriminated against.” Despite the membership’s guarded approach and a public statement by international president P. L. Siemiller that the red tape involved was likely to distract the union’s attention, the IAM executive council pledged its support for the Civil Rights Act and offered full cooperation in any investigation carried out by the EEOC involving local or district lodges.<sup>11</sup> In contrast to the initial wariness of the IAM, the UAW was

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<sup>10</sup> AFL-CIO Civil Rights Department, “Comments on Senator Lister Hill’s Criticism of Civil Rights Bill,” Jan 13, 1964, Folder 14, Box 7, Collection AR 4, Tarrant County Central Labor Council Papers, Special Collections, University of Texas at Arlington; and George Meany to Officers of Local Central Bodies, July 2, 1964, Folder 6, Box 2793, AFL-CIO Southern Area Civil Rights Department Records, Southern Labor Archives, Georgia State University, Atlanta. On the role of the AFL-CIO in the struggle for Title VII, see Archie Robinson, *George Meany and His Times: A Biography* (New York: Simon and Schuster, 1981), 233-50.

<sup>11</sup> International Association of Machinists, *Proceedings of the Twenty-Sixth Grand Lodge Convention: Miami Beach, 1964* (n/p, 1964), 77; International Association of Machinists, *Officer’s Report Submitted to the Twenty-Seventh Convention: Chicago,*

wholeheartedly behind the Act right from the start. Hoping for the strongest fair employment legislation possible, union president Walter Reuther had committed himself and the UAW's top leadership to the struggle for Title VII even when doing so placed him at odds with the administration of President John F. Kennedy. Throughout the year long struggle to secure passage, the UAW made full use of its considerable lobbying power in Washington on the bill's behalf. Ultimately, this support, coupled with President Johnson's desire to expand upon his predecessor's civil rights legacy, was among the key elements in passage of the Civil Rights Act.<sup>12</sup>

Despite the hope that it engendered, enforcement of Title VII proved extremely difficult in the years immediately after its enactment. To begin with, the nascent EEOC was fraught with organizational problems, a fact that led one observer to label the commission as "a poor enfeebled thing."<sup>13</sup> Besides lacking the authority to issue cease-and-desist orders or sue in federal court, the commission was also hampered by a lack of leadership: having signed the Civil Rights Act into law in July 1964, President Johnson

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*Illinois, 1968* (n/p, 1968), 49; P. L. Siemiller to All Grand Lodge Representatives, et al., August 22, 1967, Folder 1, Box 14, Collection AR 109, William Clitheroe Papers, University of Texas at Arlington Special Collections; and "Policy on Title VII, Civil Rights Act of 1964-Equal Employment Opportunity," Council Minutes, February 8-15, 1966, Folder "Council Minutes, February 8-15, 1966," Box 36, Collection No. L1992-14, International Association of Machinists and Aerospace Workers Records, Georgia State University, Atlanta (hereinafter referred to as IAMAW Records).

<sup>12</sup> Nelson Lichtenstein, *The Most Dangerous Man in Detroit: Walter Reuther and the Fate of American Labor* (New York: Basic Books, 1995), 387-88; and Kevin Boyle, *The UAW and the Heyday of American Liberalism, 1945-1968* (Ithaca, NY: Cornell University Press, 1995), 171-76. For an excellent discussion of the tensions between UAW leaders' liberal ideology and their views on civil rights, see David M. Lewis-Colman, *Race against Liberalism: Black Workers and the UAW in Detroit* (Urbana: University of Illinois Press, 2008).

<sup>13</sup> Richard P. Nathan, *Jobs and Civil Rights: The Role of the Federal Government in Promoting Equal Opportunities in Employment and Training* (Washington, D.C.: U.S. Commission on Civil Rights, 1969), 14.

waited nearly eleven months before finally appointing Franklin D. Roosevelt, Jr. and a staff-less group of four commissioners to head up the commission. Failing to complete even his first year before resigning, Roosevelt set in motion a pattern that would ultimately see the EEOC headed by four different chairmen from June 1965 to August 1967. Finances posed an even more daunting challenge. When the matter of the EEOC's budget came up in August 1965, Congress appropriated almost half a million dollars less than had been requested for the first year of operation. This funding was subsequently cut even further when it was learned that during the EEOC's first year not a single complaint had been processed within the sixty days required by law. Adding to these problems was the fact that many vanguard civil rights leaders, most of whom had envisioned the EEOC as being a strong administrative agency with the power to prosecute and adjudicate discrimination directly, soon began to wonder publicly whether Title VII had created yet another hollow federal investigatory agency. Following an initial period of jubilation, NAACP labor secretary Herbert Hill was among those who doubted the EEOC's usefulness. Hill set out to test the commission's mettle by coordinating a national equal employment drive that quickly flooded Washington with discrimination complaints. Not surprisingly, this massive campaign did little to help the henceforth rudderless EEOC: by January 1967 the commission already faced a backlog of over 12,000 individual cases.<sup>14</sup>

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<sup>14</sup> Graham, *Civil Rights Era*, 177-80, 189-90, 201-04, 234-41; Stein, *Running Steel, Running America*, 101-102; and Moreno, *From Direct Action to Affirmative Action*, 226-27. Also see William Gould, *Black Workers in White Unions: Job Discrimination in the United States* (Ithaca, NY: Cornell University Press, 1977), 38-39, 45. For Hill's various criticisms of the EEOC and Title VII, see Herbert Hill, *Black Labor and the American Legal System: Race, Work, and the Law* (Washington, D.C.: Bureau of National Affairs, 1977), 47-52.

There was, however, at least one bright spot in the commission's early history. Newport News Shipbuilding and Drydock was one of the nation's most important military contractors and the single largest employer in the state of Virginia. In 1965, a handful of the company's 5,000 black workers filed charges with the EEOC at the behest of local NAACP officials. Hoping to calm fears that the Civil Rights Act had set up yet another fair employment paper tiger, a coalition of government agencies that included the departments of Defense, Labor, and Justice joined the EEOC in immediately demanding that Newport News reach a conciliation agreement to correct these grievances. Given the forces arrayed against it, the company was more than happy to comply. Over the next year, almost 80 percent of the African American workforce in the shipyard received promotions and the company hired an outside consultant to further review its employment policies. Though critics tried to diminish its importance by pointing out that the Lockheed Aircraft Corporation had reached a similar and much maligned voluntary compliance agreement with its Plan for Progress in 1961, the Newport News settlement was an important victory for the fledgling EEOC. Besides indicating that the South's largest employers might be easily compelled into capitulation when faced by a solid front of government demands for anti-discrimination action, the events that transpired in Virginia also seemed to demonstrate that equal employment could be accomplished en masse rather than through the tortuous process of resolving individual complaints. Unfortunately, the Newport News conciliation was to remain a unique and isolated moment in the EEOC's history. Because it dictated rather stringent measures such as preferential promotions and the control of personnel decisions by industrial relations consultants, most southern firms were unwilling to concede to the type of solutions

advanced by the Virginia agreement and instead preferred taking their chances in court. Following the Newport News settlement, conciliation quickly fell by the wayside as the EEOC found itself increasingly entangled in litigation.<sup>15</sup>

General Dynamics and Bell were among the many companies that chose to confront the Civil Rights Act through legal action rather than voluntary conciliation. In the absence of internal legal documents, it is only possible to speculate on why these two prominent contractors chose the more expensive route of litigation. One possible explanation could be that corporate officers were afraid any admission of guilt might call into question their commitment to contractual anti-discrimination obligations and thus endanger their existing business with the government. Another possibility is that the companies' leaders wished to avoid setting unnecessarily high expectations through conciliation that might in turn establish precedents for future EEOC actions against themselves or other employers. Historian Paul Moreno has argued that in the wake of the intrusive settlement reached in the Newport News case, many employers simply chose to take their chances in court.<sup>16</sup> Whatever the case, the Fort Worth aircraft companies' determination to legally test the act was in evidence from the very first Title VII case brought against Bell in May 1968. After filing a complaint with the EEOC, A. C. Nichols, a black janitor, initiated a federal suit against the helicopter manufacturer on the grounds that company regulations did not provide any protection against disability for workers in low-skill occupations. The trouble began when the 57-year-old discovered that he had a heart condition and was placed on temporary sick leave rather than an easier

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<sup>15</sup> Moreno, *From Direct Action to Affirmative Action*, 233-34; Graham, *Civil Rights Era*, 243; and Gould, *Black Workers in White Unions*, 40.

<sup>16</sup> Moreno, *From Direct Action to Affirmative Action*, 234.

job. “I had asked Mr. Sauerwein [Bell’s manager of labor relations] prior to that if he would let me go into the machine shop,” Nichols testified, “and he said, ‘Well, Nichols, if you can’t do janitorial work, you can’t do any of it.’” Although the UAW contract contained a provision allowing injured workers to bump into jobs more suitable to their condition, Nichols maintained that this was useless to janitors like him because there were no lower classifications available.<sup>17</sup>

The multi-pronged defense offered by Bell provided a fitting preview of the legal tactics that would soon be repeated time and again by management in the Fort Worth plants. First and foremost, the company simply denied that any discrimination had taken place, asserting that it had “meticulously observed and protected the plaintiff’s rights under [the Civil Rights Act] and under the agreement with the plaintiff’s union.” In this regard, the company pointed out that they had in fact offered Nichols a position as laborer, but he refused to take it. Second, Bell asserted that if in fact any discrimination had taken place, it was purely unintentional and was therefore not covered under Title VII. Finally, Bell argued that the suit should be dismissed on procedural grounds since Nichols had not filed within the legally prescribed thirty-day period following the EEOC’s determination of his right-to-sue. In order to prove that Nichols’s allegations were untrue, Bell also made full use of the statistical summaries required of it by the PCEEO and its post-1964 successor the Office of Federal Contract Compliance (OFCC). Based on these figures, Bell showed that at the time of Nichols’s complaint there were 326 African Americans in its total workforce of 10,577. Of these, less than half (148)

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<sup>17</sup> “Complaint,” May 9, 1968, *A.C. Nichols vs. Bell Helicopter* (1968); and Deposition of A.C. Nichols, June 2, 1969, *ibid*.

were janitors, a statistic that the company hoped would show it was in fact promoting black workers to semi-skilled and skilled positions.<sup>18</sup>

In keeping with earlier patterns of adversarial labor relations, Bell also shrewdly attempted to spread responsibility by insisting that UAW Local 218 should be a party to the lawsuit since it was the union's contract that had dictated the company's response to Nichols's disability in the first place. Though he did not originally name the union in his complaint, Nichols had indeed testified that local officers and stewards were complicit in the discrimination against him. This displeasure with the UAW rested on the charge that the local had failed to file grievances against the company for refusing to put him on light duty. On at least three separate occasions, he alleged, Nichols had been told by various union stewards that if he could not do the work assigned to him he would have to go on disability. While these were indeed serious charges, it is somewhat difficult to say whether Local 218 was guilty of misrepresentation. Nichols significantly undercut his case when he testified that the local had in fact filed grievances and even gone to arbitration on two separate, unrelated incidents involving disciplinary layoffs. For its part, Local 218 responded to the charges by somewhat disingenuously asserting that Nichols had failed to exhaust all of the internal procedures available to him before suing, and thus his case should be dismissed.<sup>19</sup>

Although the Nichols case failed to uncover evidence of widespread discrimination and was subsequently thrown out, Bell used the opportunity that it

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<sup>18</sup> "Defendant's Original Answer," May 28, 1968, *A.C. Nichols vs. Bell Helicopter*; "Defendant's Answers to Plaintiff's Interrogatories," November 5, 1968, *ibid.*

<sup>19</sup> "Defendant's First Amended Original Answer," November 12, 1968, *A.C. Nichols vs. Bell Helicopter*; A.C. Nichols Deposition, *ibid.*, 30-31, 39-48; and "Separate Answer of Defendant Unions," January 28, 1969, *ibid.*

presented to reaffirm its commitment to equal employment in the hope that this might forestall further legal action.<sup>20</sup> In November 1968 the company promoted its manager of personnel relations Philip Waibel to the newly created position of manager in charge of equal employment opportunity. Having held the title of jobs manager for the National Alliance of Businessmen's (NAB) Fort Worth office, Waibel was at least marginally qualified for the position. The NAB had been created by President Johnson in 1968 as a way for the federal government and private industry to provide work to the so-called "hardcore unemployed" in the nation's fifty largest cities. During Waibel's tenure the NAB's Fort Worth office was the first in the entire nation to meet its quota of permanent pledged jobs, a feat that required him to work with both civil rights groups and private businesses throughout the city.<sup>21</sup> According to Waibel, his new duties as EEO manager at Bell were simple:

My basic responsibility is to insure that our policy of equal employment is generally known throughout the organization by both management and workers, all employees. My office has been set up to hear complaints, to counsel with employees as to upgrading, promotion, to, in general, do the very best job we can to insure that we are in compliance with the laws of the land.<sup>22</sup>

To accomplish these goals, Waibel drafted an affirmative action plan to assist managers throughout the company by developing numerical targets and timetables for the advancement of qualified minority job candidates. Among other things, this plan

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<sup>20</sup> "Order of Dismissal with Prejudice," November 4, 1969, *A.C. Nichols vs. Bell Helicopter*.

<sup>21</sup> Deposition of Philip Waibel, January 8, 1979, Volume I, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317* (1975), 67-69; Douglas Yeager, "The National Alliance of Businessmen" (M.A. thesis, University of Dayton, 1968), 9-12, 21-24; and John Condon Pomeroy, "The National Alliance of Businessmen JOBS Program: A Critical Appraisal, 1968-1974" (Ph.D. dissertation, University of California-Irvine, 1976).

<sup>22</sup> Deposition of Philip Waibel, August 15, 1977, Volume I, Box 2, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 157-58.



provided for the creation of a skills bank in which all minorities at Bell's facilities filled out a questionnaire indicating what types of higher-rated jobs they desired should openings be posted.<sup>23</sup> The available numbers appear to indicate that this initiative had some effect on African American employment. By late 1968, for example, black workers were represented in forty-one of the of the plant's sixty-two main departments, including such skilled and semi-skilled groups as tool-making, experimental machining, and final assembly. Furthermore, in classifications traditionally occupied by African Americans such as janitor, laborer, and truck driver, differentials in average hourly wage rates between white and black workers were all but eliminated. Bell also proudly noted the fact that investigations carried out by the OFCC in the wake of Nichols's complaint concluded that the plant was in compliance with federal laws.<sup>24</sup>

Compared to the efforts that had been made during the years of the PCEEO, Waibel's equal employment program was quite impressive. Besides the impact that they had on black employment, Bell's admittedly self-preservationist initiatives also set a pattern that was to be followed by other Fort Worth aircraft manufacturers. In a series of letters written during the first months of the Nichols proceedings, General Dynamics division chairman Frank Davis informed his subordinates that the plant's current figure of 5 percent minority employment was simply unacceptable. "This is considerably below that general population distribution in the Fort Worth area," he said. "We are determined that these people get a fair shake with General Dynamics, and we, as managers and

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<sup>23</sup> Deposition of Philip Waibel, January 8, 1979, Volume I, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 32-36, 42-43.

<sup>24</sup> "Exhibit C: Average Hourly Rates in Dept. 29," November 5, 1968, *Nichols vs. Bell*; "Exhibit G: Departments With and Without Black Employees as of October 1968," November 5, 1968, *ibid*; and "Defendant's Answers to Plaintiff's Interrogatories," November 5, 1968, *ibid*.

supervisors, must go the extra mile to be double sure that fair and sympathetic treatment occurs at all levels.” In order to jump start this effort, Davis gave instructions that by the end of 1970 the ratio of minority employees in the plant was to match that in the population at large. Of these, no fewer than thirty-five were to be advanced into salaried positions. In order to facilitate this process, Davis pledged to “maintain close liaison and frequently consult” with such civil rights organizations as the NAACP, the League of United Latin American Citizens, and the GI Forum in order to keep their members apprised of the employment needs at the plant.<sup>25</sup> Davis also followed Bell’s lead and promoted management planning administrator Ralph Wagner to the position of divisional equal employment compliance officer. Serving as director of the Fort Worth NAB office from 1968 to 1972, Wagner brought even more influence and experience to this new job than his counterpart at Bell. Although he was technically not employed by General Dynamics during this four year period, Wagner’s close association with the company allowed him to channel as many as a quarter of the approximately 4,000 unemployed individuals ultimately placed by the NAB into positions at the aircraft plant.<sup>26</sup>

Interestingly, General Dynamics’s minority recruitment efforts also seem to have been bolstered by its continued participation in the much-maligned Plans for Progress program. Though the PCEEEO was officially disbanded in 1964, many of the contractors

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<sup>25</sup> “Circular No. 777: Equal Employment Opportunities,” July 10, 1968, *Joe Eddie Lee vs. General Dynamics* (1972); “Affirmative Action Compliance Program,” November 1, 1968, *ibid*; and Frank Davis to Supervision, September 16, 1968, *ibid*. On the response of Mexican Americans to the Civil Rights Act, see MacLean, *Freedom is Not Enough*, 155-84; and Juan Gómez-Quíñones, *Mexican American Labor, 1790-1990* (Albuquerque: University of New Mexico Press, 1994), 211-327.

<sup>26</sup> Frank Davis to Supervision, November 8, 1968, *Joe Eddie Lee vs. General Dynamics*; and Deposition of Ralph Wagner, March 20, 1980, Box 4, *EEOC vs. General Dynamics, et al.* (1974), 13-17.

who had signed voluntary compliance agreements decided to set up a private organization to promote Plans for Progress in the Committee's absence. Serving as chairman of the organization's advisory council was General Dynamics CEO Roger Lewis. In a mass letter designed to quell those critics who maintained that voluntary efforts at equal employment had failed, Lewis appealed to his corporate members to adopt tougher policies. "I believe you will agree that in today's climate it is not only essential that business fulfill its commitments to our underprivileged minorities, but that we set for ourselves increasingly severe targets," Lewis maintained. In the Dallas-Fort Worth area, managers from General Dynamics, Bell, and a handful of other employers heeded Lewis's call by organizing a committee to plan periodic seminars for local school counselors on minority employment. The committee also established a youth motivation program in which employees of participating companies would speak to students about local job opportunities.<sup>27</sup>

Together with the company's internal adjustments and a hiring boom that added some 8,000 new workers to General Dynamics's payroll starting in 1967, these community efforts had a salutary effect on minority employment. In May 1969 a semi-annual equal employment opportunity review of the plant revealed that seven previously all-white departments had been integrated and the number of minorities employed as skilled craftsmen increased by seventy-one. Even as the company's workforce contracted slightly, minority employment continued to rise by nearly 10 percent to 1,899. By

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<sup>27</sup> Letter by Roger Lewis, n/d, Folder "General Dynamics Corp.," Box 6, Office of the Secretary-Plans for Progress Records, 1961-1969, General Records of the Department of Commerce, Record Group 40, National Archives and Records Administration, College Park, Maryland; and "Plans for Progress Aids Minority Groups in Area," *Dallas Morning News*, August 11, 1968.

September 1969 the statistics were even more impressive, with minorities comprising 8.6 percent of the plant's total workforce of 28,566. Of these 2,466 minority workers, over three-quarters (1,865) were classified as skilled craftsmen or semi-skilled operatives, a figure that nearly surpassed the total number of black aircraft workers in the entire area in 1967. While it is unclear how the EEOC viewed this, such figures did not go unnoticed by other government officials responsible for equal employment. During a visit to the plant in September 1969, for example, Department of Defense contract specialist J. C. O'Keefe "informally acknowledged '[General Dynamics's] position of leadership in the industry' in Equal Employment Opportunity."<sup>28</sup>

Though the company would need to hire nearly twice as many black workers to reach its goal of proportionality with the community at large by 1970, these efforts were nevertheless impressive, especially when contrasted against the resistance that General Dynamics had shown for so long. The steady progress made by African Americans during the Fort Worth aircraft industry's post-1964 hiring boom was borne out by the experiences of a number of workers at the massive plant. While General Dynamics continued to place many black new hires in traditionally "Negro" jobs such as janitorial work and general labor, a significant number were also assigned to the classification of aircraft assembler, an entry-level production job that for decades had provided white employees with the basic skills needed to advance into more detailed work. James Earl Kelly was a prime example. A high school dropout, Kelly was hired in April 1968 as an

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<sup>28</sup> F.E. Chambers to Algie Hendrix, May 29, 1969, *Joe Eddie Lee vs. General Dynamics*; "Results-Affirmative Action Compliance Program," n/d, *ibid*; "Equal Employment Opportunity Information Sheet," September 24, 1969, *ibid*; F.E. Chambers to Frank Davis, September 24, 1969, *ibid*; and Herbert Northrup, *The Negro in the Aerospace Industry* (Philadelphia: Wharton School of Finance and Commerce Industrial Research Unit, 1968), 73-74.

assembly trainee. Considering General Dynamics's longtime (and often disingenuous) assertions that aircraft manufacturing demanded high levels of education, the decision to hire Kelly into assembly was quite remarkable in and of itself, but nineteen months later the company went even further by upgrading him to the classification of assembler "A," a jump of five labor grades. Following this trend, Rufus Jackson's promotion up the assembly ladder was even faster than Kelly's. Having already received twenty-nine weeks worth of training in sheet metal work and blueprint reading at Fort Worth Technical College, Jackson was promoted to assembler "A" within four months of being hired in October 1966. Even for those who were not immediately hired into production jobs, their prospects for advancement were much greater under the company's new policies. Such was the case for Willie Lee Jackson. Despite being initially hired as a janitor in May 1966, within seven months Jackson—who had not only spent time in the Air Force but also received training as an automotive mechanic—had secured a much higher-paying position sealing wing tanks on the production line, a job that he held for the next four and a half years.<sup>29</sup>

In addition to semi-skilled assembly work, General Dynamics also opened a limited number of more skilled jobs to African Americans during the late 1960s. Given the complexity of the product being made, machine tools and other mechanical aids are an integral part of modern aircraft manufacturing. It was thus quite a large step forward for African Americans when Mack Earl Tippens was hired as General Dynamics's first black machine tool repairman in May 1966. With technical training in machine repair

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<sup>29</sup> Deposition of James Earl Kelly, October 12, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 10-13; Deposition of Rufus Jackson, October 11, 1977, Box 4, *ibid*, 9-12; Deposition of Willie Lee Jackson, October 3, 1977, Box 4, *ibid*, 8-12; and Deposition of Willie James Jackson, October 3, 1977, Box 4, *ibid*, 34-35.

and data processing, Tippens was a particularly well-qualified candidate for this important job. A little over a year after beginning work, Tippens was upgraded to machine tool repairman “A,” a promotion that set him apart as one of the highest paid production workers, black or white, in the entire plant. It stood as a testament to Tippens’s skill that when he was interviewed by EEOC lawyers in 1977, he was still performing similar work as a maintenance mechanic, albeit no longer with General Dynamics.<sup>30</sup>

Impressive as Tippens’s advancement may have been, perhaps the most compelling evidence that General Dynamics’s equal employment policies were bearing fruit was to be seen in the steady increase of African Americans promoted to supervisory positions during the late 1960s. Since opening the gates of the Fort Worth plant in 1941, neither General Dynamics nor its corporate predecessors had ever raised an African American into the ranks of management; after 1964, however, the company began to actively seek out potential candidates. The case of Melvin Jones was perhaps the most extraordinary example of this. Hired as a janitor in 1967, Jones worked for less than four months before accepting a position as maintenance foreman at the encouragement of his white supervisor. Over the next five years, Jones earned a reputation as a good manager and was even tapped to help train several other black foremen. Even though Jones later complained that he was confined to line management in a department that remained predominately black—the prospect of African Americans supervising whites was

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<sup>30</sup> Deposition of Mack Earl Tippens, October 6, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 9-16.

apparently still too much for General Dynamics—this was still a huge milestone in the aircraft manufacturer’s journey toward equal employment.<sup>31</sup>

Notwithstanding these and other encouraging examples of black achievement, both General Dynamics and Bell continued to face challenges from an increasingly activist class of African American workers who felt that they and other members of their race continued to be subject to underlying patterns of discrimination. Like Nichols’s case, most of these early Title VII lawsuits were filed on behalf of individuals and presented similar challenges for the plaintiffs. Besides the fact that it was exceedingly difficult to prove the existence of systemic discrimination alone, individual complainants also still had to contend with the inefficiency of the overloaded EEOC, which by the summer of 1968 faced processing delays of up to two years. In the case of Joe Eddie Lee, a young African American who sued General Dynamics for hiring discrimination, these hurdles ultimately proved insurmountable. Though Lee’s original complaint was filed in the summer of 1969, it took the understaffed EEOC more than three years to issue him an authorization to sue. Once the suit was filed, company lawyers were quick to pounce on the EEOC’s lengthy delay, arguing that it made a mockery of the procedures mandated by Title VII. General Dynamics also easily sidestepped Lee’s lone complaint by showing that it had in fact hired six other African Americans on the day his application was rejected. Insofar as minorities comprised 18.6 percent of General Dynamics’ new hires throughout 1969, company lawyers argued that Lee’s case was

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<sup>31</sup> Deposition of Melvin Jones, October 11, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 6-13, 16-18.

without merit. Taken together with the evidence of the EEOC's continued ineptitude, these facts ultimately convinced the district court to dismiss the entire lawsuit.<sup>32</sup>

If the cases of Nichols and Lee demonstrated the difficulties faced by individual plaintiffs in navigating Title VII, the prospects for bringing successful class action lawsuits were only marginally better. Though the Civil Rights Act had not explicitly authorized class actions, the Fifth Circuit Court of Appeals ruled in 1968 that individuals could file Title VII suits on behalf of an entire class based on the assumption that society at large had an overriding interest in eliminating discrimination.<sup>33</sup> At first glance these broader proceedings seemed to promise complainants an easier time in demonstrating patterns of discrimination; however, like individual lawsuits, class actions were not without their own challenges. To begin with, such suits required a great deal of guidance and coordination, both of which remained difficult for the woefully overworked EEOC to provide during its first years in existence. Oftentimes local NAACP chapters did much of the leg work for the overburdened commission, but there is little evidence that this was the case in Fort Worth. Class actions also depended on finding a suitable class representative who could present both clear-cut evidence of the discrimination that he faced personally and demonstrate that it was of the same type encountered by other individuals. Although there were literally thousands of African Americans who could

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<sup>32</sup> Graham, *Civil Rights Era*, 239; "Complaint," August 21, 1972, *Joe Eddie Lee vs. General Dynamics*; "Answer of General Dynamics," September 8, 1972, *ibid*; "Memorandum of Opinion," September 7, 1973, *ibid*; and Deposition of Joe Eddie Lee, October 2, 1972, *ibid*.

<sup>33</sup> Moreno, *From Direct Action to Affirmative Action*, 235-36; and Gould, *Black Workers in White Unions*, 53-54. On the role played by the Fifth Circuit Court of Appeals in the civil rights movement, see John Spivack, *Race, Civil Rights, and the United States Court of Appeals for the Fifth Judicial Circuit* (New York: Garland, 1990); and Deborah J. Barrow, *A Court Divided: The Fifth Circuit Court of Appeals and the Politics of Judicial Reform* (New Haven, CT: Yale University Press, 1998).



testify to the discriminatory employment practices in Fort Worth, finding a worker who could fulfill these specific criteria was another story entirely.<sup>34</sup>

Unfortunately, neither of these important conditions for success was present in the first Title VII class action lawsuit filed against a Fort Worth aircraft manufacturer. In early 1969 the 41-year old plaintiff in the case, Leonard B. Hardiman, approached the EEOC after he was terminated by Bell. Hardiman maintained that the company, in cooperation with UAW Local 218, had established a promotional and seniority system whose intent was to preserve the custom of limiting employment opportunities for black workers. Despite these broad allegations, Hardiman was far from the ideal candidate for showing that a pattern of racial discrimination existed at Bell. Hired as an assembler “B” in 1966, Hardiman had quickly bid on and received a classification upgrade based on his experience in the aircraft plants of California. Although subsequent attempts to upgrade even further were unsuccessful, Hardiman’s assembler “A” classification—which, at labor grade 3, was only two step removed from the highest paying jobs in the plant—was a significant achievement for an African American at the time. Furthermore, in its defense the union presented evidence from the arbitration hearings it had called on Hardiman’s termination showing that he was actually let go for excessive absenteeism. The arbitrator in that case agreed with Local 218’s fair employment practices chairman, an African American himself, that there was no evidence to support the charge that the termination was discriminatory. Finally, even though Hardiman had filed his suit on

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<sup>34</sup> Gould, *Black Workers in White Unions*, 39-40. Because it lacked the authority to issue suits in its own name, the EEOC had to rely upon individual workers and private civil rights organizations such as the NAACP Legal Defense Fund to take the legal action necessary to enforce Title VII prior to 1972. See Smith, *Race, Labor, and Civil Rights*, 103-07.

behalf of an entire class, it does not appear that there was any effort made to recruit other plaintiffs whose backgrounds at Bell might have provided evidence of more widespread discrimination. Upon hearing the well-documented counterarguments of the union, the court quickly dismissed Hardiman's case and ordered him to pay the legal expenses of both Local 218 and Bell.<sup>35</sup>

Although he lost his lawsuit, Hardiman's claims against the union are worth examining in more detail in order to determine whether Local 218 was indeed shirking its obligations to black members. Similar to thousands of other black plaintiffs throughout the nation, Hardiman testified that his union stewards at Bell had refused to write up grievances when he was reprimanded for absenteeism. He also made similar claims with regard to his final termination, arguing that it was nearly nine months before arbitration proceedings were held and then only because Local 218's fair employment practices committee insisted that such action be taken. "Well, my candid opinion is that the average guy, especially a black guy out there...happens to go to a union representatives and asks him for a particular opportunity for him to protect him, his rights as a union member, well, he seems to stall, he hesitates," Hardiman concluded. "He pulls strings to not do what he is being paid to do by a union member."<sup>36</sup> If true, these were indeed serious allegations that could have resulted in the UAW being removed as the bargaining agent at Bell by the National Labor Relations Board (NLRB). Such a precedent had been set in 1964 when the NLRB decertified a racially segregated metalworkers union at

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<sup>35</sup> "Complaint," July 2, 1970, *Leonard B. Hardiman vs. United Local 218, et al.* (1970); Deposition of Leonard Hardiman, March 19, 1971, *ibid*; "Award No. S-253," February 9, 1970, *ibid*; "Third Step Disposition," January 4, 1970, *ibid*; and "Summary Judgment," April 2, 1971, *ibid*.

<sup>36</sup> Deposition of Leonard Hardiman, March 19, 1971, *Leonard B. Hardiman vs. United Local 218, et al.*, 15-24, 26-27.

Hughes Tool Company in Houston on the grounds that it had violated federal labor law by failing to equally represent black members.<sup>37</sup> Fortunately for Local 218, this was not repeated at Bell. Given the available evidence, it is hard to accept Hardiman's claims that the union failed to represent him. Hoping perhaps to bolster his chances in court, Hardiman did in fact file NLRB charges against Local 218 following the failure of his arbitration case, but an investigator with the Board told him that there was no basis for his claims and the complaint was subsequently withdrawn. In their questioning of Hardiman, the UAW's lawyers also pointed out that the EEOC itself had determined that there was insufficient evidence to conclude that the union had been in violation of Title VII. Even if union officials had taken as long as Hardiman claimed they did to look into his case, it nevertheless remains significant that they ultimately made use of such an expensive process as arbitration.<sup>38</sup>

As with both the Nichols and Lee cases, the failure of Hardiman's suit once again pointed to the difficulty of proving widespread discrimination when complaints were limited to individuals without the backing of other African American workers. Together, these three actions speak volumes about the EEOC's continued lack of enforcement power. Without the authority to issue cease-and-desist orders or file suits in its own name, the still-overburdened EEOC was instead left to slowly process several thousand backlogged complaints and rely on private litigation to prove discrimination. Although

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<sup>37</sup> On the struggles for racial equality at Hughes Tool, see Michael R. Botson, *Labor, Civil Rights, and the Hughes Tool Company* (College Station: Texas A&M University Press, 2005); Ernest Obadele-Starks, *Black Unionism in the Industrial South* (College Station: Texas A&M University Press, 2000), 82-100; and Hill, *Black Labor and the American Legal System*, 128-33.

<sup>38</sup> Deposition of Leonard Hardiman, March 19, 1971, *Leonard B. Hardiman vs. United Local 218, et al.*, 15-18; and Edwin Youngblood to John P. Sizemore, February 25, 1971, *ibid.*

the Attorney General could file class action lawsuits against intransigent employers, the Justice Department's cautious nature meant that such action was only taken in the most clear-cut cases. The results were far from encouraging: by the end of 1969, private litigants had won only four contested equal employment lawsuits, and three of these had required Justice Department intervention. Clearly, if the promise of Title VII was to become reality, the burden of enforcement would have to be shifted away from private citizens and toward public authorities.<sup>39</sup> Fortunately, the Equal Employment Opportunity Act of 1972 was designed to do exactly this. First proposed in 1969, this new law was based on the realization that the hobbled EEOC required a great deal more enforcement power if it was ever going to be capable of waging a successful assault on employment discrimination. Besides granting the EEOC the power to sue discriminatory employers in its own name the law also extended Title VII protection to several million more Americans by reducing the minimum workforce requirements and adding employees of state and local governments.<sup>40</sup>

For those local advocates of equal employment eager to force a final showdown with the Fort Worth aircraft industry, the signing of the Equal Employment Opportunity Act in March 1972 came at an especially opportune time. Beginning in the summer of 1970, rumors began circulating among General Dynamics's employees that the prosperity they had so recently enjoyed was in danger. Although the company was still riding high on a multi-billion dollar contract to produce F-111 fighter-bombers for the Air Force, controversy surrounding the project had led to rather drastic revisions in the number of

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<sup>39</sup> Graham, *Civil Rights Era*, 422; and Gould, *Black Workers in White Unions*, 46-48.

<sup>40</sup> On the struggles to secure passage of the 1972 Equal Employment Opportunity Act, see Graham, *Civil Rights Era*, 434-45.

aircraft the government was willing to purchase. Unless General Dynamics could secure a new contract, most local officials agreed that the plant would not be able to maintain production beyond 1971, with the result that thousands of workers would have to be laid off. Then, on the morning of June 5, 1970, these predictions became reality when it was learned throughout the plant and the city that the Defense Department had decided to award its next major contract for the new B-1 bomber to competitor North American-Rockwell in President Richard Nixon's home state of California. Almost overnight, General Dynamics announced that the company would be forced to reduce employment significantly and proposed cutting some 14,000 of the plant's 26,500 workers by the end of 1971. Local papers maintained that the news was the greatest blow to the Fort Worth economy since World War II. Over the next two years, employment at General Dynamics fell by an average of 700 workers per month finally bottoming out at 6,960 in March 1975.<sup>41</sup>

Given the importance of General Dynamics to the area, the impact of these layoffs was felt far and wide throughout Fort Worth. According to one report, the slowdown was expected to remove between \$130 million and \$150 million from the area's annual payroll, which had stood at an estimated \$288 million during the peak of F-111 production in 1969. As early as September 1970, the city council of White Settlement, which was adjacent to General Dynamics and home to thousands of aircraft workers, was already considering closing the public library and making other budget cuts in

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<sup>41</sup> "Contract Loss Hits General Dynamics," *Dallas Morning News*, June 6, 1970; "Unions Await Effect of GD Layoff Plan," *Labor News*, June 11, 1970; "Plaintiff's Request for Admissions of Fact, Set No. 2," February 5, 1980, Box 3, *EEOC vs. General Dynamics, et al.*; and Ford Dixon, "McNamara, General Dynamics, and the F-111: A Business and Political History" (Ph.D. dissertation, Texas Christian University, 1972), 155, 168-72.

preparation for the decline in tax revenue that would inevitably occur.<sup>42</sup> Organized labor also suffered severe financial setbacks. As some 5,600 of District 776's approximately 13,500 rank-and-file members were removed from the rolls of active membership, the union suspended per capita payments to the Tarrant County Central Labor Council, which itself was soon forced to rely on special donations from the state AFL-CIO as a result. In its quest to make up for this decline in revenue, District 776 began looking as far afield as Temple, a town more than one hundred miles south of Fort Worth, for potential dues paying members to organize.<sup>43</sup>

The bulk of the area's hardships, of course, fell on the thousands of General Dynamics employees let go during the cutbacks. Among these unfortunate casualties, African Americans were particularly hard hit. Since the vast majority of black aircraft workers were hired in the six years prior to the June 1970 announcement, most lacked the seniority needed to avoid being bumped by more senior white workers. Maintenance oiler King Barker Brackeen succinctly explained the predicament of fellow African Americans: "Listen, they was the last hired and the first fired. They [the company] bring in just a gob of whites and one or two blacks and no sooner than the production falls off it's lily-white again."<sup>44</sup> Given the extent of the economic devastation being wrought upon Fort Worth's black population, the EEOC had no trouble finding complainants to

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<sup>42</sup> "General Dynamics Expected to Cut \$130-\$150 Million," *Dallas Morning News*, June 7, 1970; and "Slowdown Expected in White Settlement," *Dallas Morning News*, September 1, 1970.

<sup>43</sup> "Machinists Nose in Under Deadline in Pay Increase," *Labor News*, August 25, 1971; "Machinists to Expand Area," *Labor News*, September 9, 1971; and Interview of Willard Barr by Jim Reed, April 1, 1974, OH 45, transcript, University of Texas at Arlington Special Collections.

<sup>44</sup> Deposition of King Barker Brackeen, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 26.

help test its newfound authority under the Equal Employment Opportunity Act. Shortly after the law went into effect in March 1974, EEOC lawyers filed a class action suit on behalf of African Americans against General Dynamics and the IAM. A year and a half later, the commission increased its pressure on the local aircraft industry by filing a similar but unrelated class action against Bell and the UAW. Dragging on into the next decade, these cases made clear that for all their progress after 1964 both General Dynamics and Bell continued to engage in a variety of discriminatory practices. Though most of the plaintiffs were drawn to the suit by what they believed were the companies' discriminatory layoff and regression procedures, subsequent testimony also revealed broader problems including failure to promote, transfer, or train African Americans; the assignment of black workers to less desirable and lower-paid positions; the maintenance of racially segregated job classifications; and failure to maintain an atmosphere free of racial intimidation and harassment. If the passage of Title VII and the recent hiring boom had helped to alleviate some of these practices, these cases made obvious that the industry still had a long way to go before they were completely eliminated.

Ironically, even with the new Equal Employment Opportunity Act behind it, the institutional weaknesses of the EEOC continued to be an impediment. Though the commission enjoyed a six-month window in which to sue employers, the backlogs that it had accumulated significantly delayed the filing of both lawsuits and nearly scuttled the cases. Concluding that "administrative lethargy and inertia" was the only explanation for the EEOC's tardiness, federal district judge Eldon Mahon initially decided to dismiss both cases. Fortunately, the Fifth Circuit Court of Appeals reversed the district court's decision and remanded the case of *EEOC v. General Dynamics, et al.* back to Fort Worth

for further consideration. For black workers at Bell, the path to justice was a bit more circuitous. Unable to appeal the court's dismissal, the EEOC instead focused on helping a pair of individual African Americans win their own private class action discrimination suit against the helicopter manufacturer. Although it lacked the punch that came with the EEOC being named as the plaintiff, *Sarah Parker, et al. v. Bell Helicopter, et al.* was gradually consolidated with several other individual actions and served as an effective proxy for the commission's earlier failed efforts at Bell.<sup>45</sup>

With the future of the lawsuits secured, EEOC lawyers turned to the task of collecting evidence to demonstrate the existence of a pattern of racial discrimination in the Fort Worth aircraft industry. Like their counterparts across the South, black workers at General Dynamics and Bell proved to be their own best advocates as they testified about the unequal treatment they continued to endure. Just as it had been going back to the wartime days of the FEPC, one of the most complained about forms of discrimination continued to involve hiring. Despite the companies' recent efforts to open up entry-level assembly positions to African Americans, a number of witnesses testified that they had still been hired in at positions, usually janitorial in nature, well below their qualifications. Having spent four years in an Air Force motor pool, Tommy Tucker was certain that he

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<sup>45</sup> "Memorandum and Order," December 6, 1976, *EEOC vs. Bell Helicopter, et al.* (1975); "Memorandum Order," August 15, 1974, Box 2, *EEOC vs. General Dynamics, et al.* (1974); and "Opinion of U.S. Court of Appeals," November 4, 1975, Box 3, *ibid.* As class action suits, both of these cases also included rather large contingents of white women as plaintiffs. At General Dynamics, these female plaintiffs contended that they had been discriminated against under the company's maternity leave policies; their claims were eventually bifurcated from those of black workers for separate consideration and settlement. At Bell, on the other hand, women's complaints had little to do with reproductive functions and remained more closely aligned with the grievances of African Americans. As a result, the two classes were ultimately joined in the final determination of the *Parker* case. For the impact of Title VII on women in the workplace, see MacLean, *Freedom is Not Enough*, 117-53.



had the experience needed to work in General Dynamics' transportation department when he applied for a job in 1967. At his interview, however, he was informed that the only jobs available were as a janitor. When his foreman assured him that he would be upgraded in a couple of months, Tucker took the job: "So I agreed to it and then about after, oh, several months I approached [the foreman] again, you know, and he said 'Well, you signed up to be a janitor, so that's all you are going to be, just a janitor.'" Manuel Maloy experienced the same frustration when he was placed in General Dynamics' maintenance department in 1966. Despite having almost 800 hours of experience in machining, Maloy's request for a transfer was undermined by his foreman, who convinced the head of the plant's machine shop to tell him that there were no jobs available. Perhaps the clearest evidence of hiring discrimination was provided by Albert Odom. When the experienced forklift operator interviewed for a job in Bell's transportation department, he was told that the only position available was that of janitor. Even before Odom could leave the personnel office, however, he claimed that a white man entered off the street and was immediately given a job driving a forklift. "Well, as far as I know," Odom testified, [this white man] had been in the service...and had never had a job before in his life I don't think. And I had forklift driving skills."<sup>46</sup>

In some cases, not even a college education was enough to guarantee African Americans would be hired into more skilled positions. With both a bachelor's degree in business administration and experience as a business education instructor, Dorothy

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<sup>46</sup> Deposition of Tommy Tucker, October 3, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 17; Deposition of Manuel Maloy, October 12, 1977, *ibid*, 9, 19-20; and Deposition of Albert Odom, July 30, 1979, Box 3, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 9. Despite having been hired as a janitor, it is worth pointing out that Maloy was upgraded to the position of plastic parts fabricator within two months.

Spears should have been more than qualified for a position as a stenographer. Yet when EEOC lawyers asked how she had gone about getting a white collar job at Bell, Spears testified that she had had to rely on the Dallas chapter of the NAACP to first contact plant management on her behalf.<sup>47</sup> Willie James Jackson, a graduate of Prairie View A&M University in central Texas, had a similar experience at General Dynamics. Despite having studied both architecture and construction methods, Jackson was forced to take a job as a porter when he applied in late 1966. “The reason I filled out that I wanted to work as a porter,” he asserted, “I had been informed by the Texas Employment Commission and General Dynamics prior to coming...to put that on there in order to get my foot in the door.” Like many others, Jackson was told that he could expect an upgrade within a short period of time, but he ultimately ended up spending his entire five-year career in the company’s maintenance department. The fact that Jackson’s brother Willie Lee (whose testimony is recalled above) advanced so quickly from janitor to assembly work while his college-educated sibling remained behind only served to further highlight the subjective nature of General Dynamics’s hiring policies.<sup>48</sup>

As they had in past Title VII cases, management at General Dynamics and Bell responded to these accusations by citing statistics showing recent improvements in African American hiring. General Dynamics claimed the greatest success: from 1964 to 1969, the company argued that the number of black employees in the plant had increased

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<sup>47</sup> Deposition of Dorothy Spears, July 21, 1977, Box 1, *Parker et al. vs. Bell Helicopter and UAW Local 317*, 9-11.

<sup>48</sup> Deposition of Willie James Jackson, October 3, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 15; and Deposition of Willie Lee Jackson, October 3, 1977, *ibid*, 8-12. Asked why he thought his brother had received more preferential treatment, Willie James answered that “the government...doesn’t go along with veterans getting discriminated against.”

eightfold from 221 to 1,663. Even more important, the ratio of African Americans to the total workforce nearly quadrupled from 1.5 percent to 5.8 percent. The company also proudly pointed to the fact that minorities comprised 18.6 percent of its new hires throughout 1969. Although figures for these same years were not available at Bell, black employment there showed definite improvement during the mid-1970s, with African Americans increasing from approximately 3 percent of the helicopter manufacturer's workforce in 1973 to just under 5 percent by 1975.<sup>49</sup> Lest Dorothy Spears's experience be seen as representative, Bell's attorneys attempted to demonstrate that the company did in fact go to great lengths to recruit college-educated African Americans. In addition to running regular advertisements in the Fort Worth area's major black newspapers, the company also sent recruiters to such traditionally black schools as Prairie View A&M, Howard University, Tennessee A&I, and Florida A&M. The only possible explanation for why more African Americans had not joined Bell, suggested equal employment director Waibel, was that they themselves had chosen not to enter the volatile industry. "One of the things that I think has affected this is the fact that we have these periodic ups and downs in employment," Waibel testified. "I think that the fact that we are in a defense-oriented business has had an effect upon the company's ability to attract minorities."<sup>50</sup>

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<sup>49</sup> "Plaintiff's Request for Admissions of Facts, Set No. 2," February 5, 1980, Box 3, *EEOC vs. General Dynamics, et al.*; "Answer of General Dynamics," September 8, 1972, *Joe Eddie Lee vs. General Dynamics*; and "Joint Brief of Plaintiffs Ernest Mackey, Albert Odom, and Dorothy Joyner Spears in Support of Class Certification," July 25, 1977, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*.

<sup>50</sup> "Defendant Bell Helicopter's Answer to Plaintiff's First Interrogatories," September 10, 1975, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*; and Deposition of Philip Waibel, January 9, 1979, Volume II, Box 1, *ibid*, 216.

Impressive as the statistics may have been, many African Americans maintained that such numbers merely covered up the difficulties that they and other minorities continued to face in their struggle for advancement. The greatest evidence of this was to be seen in the obstacles placed before African Americans who attempted to move out of menial custodial jobs and into more skilled occupations. For every black worker who managed to make it out of the maintenance department and into assembly, there were a handful of others whose testimony demonstrated how white managers used their virtually unregulated transfer authority to impede black employment opportunities. One of the most frequent complaints was that supervisors seemed not to take the qualifications of African Americans into consideration when making decisions about who to transfer to more lucrative departments. Such was the case for John Angton. Hired as a janitor by General Dynamics in 1967, Angton had been anxious to transfer into transportation where his commercial operator's license would be of some use. Every six months for five years, Angton made his wishes known, but each time his supervisor simply ignored the requests. This semi-annual ritual became especially frustrating when other less qualified individuals were promoted ahead of him. "What I was trying to figure out," Angton exclaimed, "why was it that we didn't have a chance to go up instead of coming back down?" Jesse Bonner could also attest to the tight control that management kept over its transfer power. Like Angton, each of Bonner's several attempts to transfer from General Dynamics' maintenance department into receiving had been ignored. "The company, if there was an opening, they would go around and ask you with a piece of paper was there anything else you would like to do besides what you were doing," Bonner stated. "Each time they come around, I would never hear a thing. I would ask

them about it and they would say, ‘Well, it hasn’t come up yet,’ and yet, still, you go around through there and you see new people coming in that you have never seen before.”<sup>51</sup>

If the subjectivity of managerial transfer decisions was frustrating, then the practice of having to train whites for jobs that were seemingly closed to African Americans was downright degrading. This problem was especially pronounced for older black workers who entered the aircraft industry prior to the post-1964 buildup. Hired in 1942, Alton Blanton spent twenty-five years performing janitorial and transportation duties in General Dynamics’s chemical processing department before finally being upgraded to a semi-skilled position in disposal and reclamation. Although such work was clearly outside the scope of these earlier classifications, Blanton maintained that management had often exploited his knowledge of departmental work by having him train white new hires in the operation of various chemical processing machines. “Every new man they sent down there, I trained him how to do it...a lot of them said ‘It’s in your hands,’ and I would do what I was supposed to and I would instruct them a whole lot,” he recalled. On occasion, Blanton was even expected to teach supervisors how to use the equipment. “When they put a supervisor down there that wasn’t familiar with it, all he would do is sort of rest on my shoulder until he got familiar with it,” Blanton testified, “and I mean I thought it ought to have been the other way.” Not surprisingly, such treatment provoked a great deal of bitterness among those who were subjected to it. Working under the same conditions as Blanton, chemical process charger Sam Leach’s anger still smoldered years later: “I even helped the white men before the blacks started

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<sup>51</sup> Deposition of John Angton, October 10, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 18; and Deposition of Jesse Bonner, October 7, 1977, Box 5, *ibid*, 17.

coming in there, taught them the job, and what did they do? They went to supervision. Not me. I couldn't go anywhere, just stayed there as a menial old man teaching those fellows.”<sup>52</sup>

Despite the obvious inequities involved, many African Americans were wary of challenging these abuses out of fear that they would be retaliated against by management. One certainly did not have to look very far to find examples of black workers who were harassed or threatened for asserting their rights. After spending seventeen years as a janitor at General Dynamics, Coy Evans began approaching his foreman about moving to the wood mill in the late 1960s. “I asked him a third time and his reply was, ‘If you keep on harassing me about a transfer, the only transfer you will ever get is out the gate,’” Evans recalled. “Well, I didn’t say anymore to him, because I needed a job.” Assembler Raymond Wheatfall had a similar experience. Terminated by General Dynamics in 1971, Wheatfall insisted that this was retaliation for his earlier complaints about transfer discrimination. “They started working on me more because I was always in their face about things that was really messed up in the system,” he stated. “[And] when they started the new contact slip, I knew I was going to get fired one way or another...because I was a leader in trying to push what I knew to be—I mean was legal for our rights.” Ernest Mackey, an employee at Bell who could provide a list of seventeen different jobs that management had passed him over for in favor of less qualified white employees, also

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<sup>52</sup> Deposition of Alton Blanton, November 30, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 61-62; and Deposition of Sam Leach, October 7, 1977, Box 4, *ibid.*, 24.

maintained that his 1976 termination was retribution “for trying to receive equal treatment...which I believe is fair for any employee under the law.”<sup>53</sup>

If retaliatory action was one of the most visible forms of managerial discrimination, a more common yet hidden problem for African Americans were supervisors who went out of their way to impede black advancement. Hired as a detail assembler by Bell, Curtis Ford insisted that his foreman never gave him the training or attention that most other new employees received. “When I first start to working, [my foreman] didn’t show me anything but the lunchroom and the restroom, and he didn’t show me the blueprint crib or where to get our drills or nothing of that nature pertaining to the job,” Curtis testified. “As I commenced to speak with him, he would turn his head, and when I was working, he was always coming around behind me and standing behind me.” As a plumbing and hydraulic assembler at General Dynamics, James Estes also said he knew from the moment he went to work in 1968 that his supervisor had it out for him. “He told us if we didn’t do exactly like he said he would personally see that we got a three-day layoff and the next time he would get us fired,” Estes asserted. “He started on my back the first day.” Some African Americans found that management was even willing to go so far as to move them around throughout the plant in order to impede their advancement. Hired as a helper in one of General Dynamics’ assembly departments in 1948, Claude Guyden had reason to hope that he might avoid the fate of other African American employees trapped in maintenance classifications. Although his position was

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<sup>53</sup> Deposition of Coy Evans, October 4, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 15; Deposition of Raymond Wheatfall, Jr., October 13, 1977, *ibid*, 39; Deposition of Ernest Mackey, July 20, 1979, Box 3, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 18-19; and Deposition of Ernest Mackey, July 1, 1977, Box 1, *ibid*, 34-35.

no more skilled than that of janitor, the fact that it was situated in assembly potentially afforded him more advancement opportunities since upgrades within departments had to be decided solely on the basis of seniority under District 776's contracts. When he was transferred to maintenance some six months later, however, there was no doubt in Guyden's mind why this occurred. "Possibly we could have gotten better jobs if we had stayed in 31[assembly]," he recalled, "but they chose to move us to 25 [maintenance], where they would know that we couldn't be anything but a janitor."<sup>54</sup>

Perhaps the most blatant episode of supervisory hostility toward a black worker involved assembler Rufus Jackson. By all accounts, Jackson was an extremely skilled worker, having completed some twenty-nine weeks of machinist training at Fort Worth Technical College prior to coming to General Dynamics in 1966. No sooner was he hired, however, than he began to have trouble with his supervisors. Besides frequently being called a "nigger" by his foremen, Jackson was also the subject of childish pranks, such as the time a supervisor flicked dried mucus into his coffee while he was drinking it. Disgraceful as this treatment was, it was nowhere near as serious as the attempts made by Jackson's superiors to sabotage his work:

I was on nights, and one evening I come in they handed me a bag of brackets and told me to put them on the ship. No operation card. You can't do it unless you have an operation card to check out the blueprint to see what brackets goes where, and they just give me a whole sack of them and some kind of way, I don't know how I ever found the operation number or got the blueprints and stuff to it, half those brackets were obsolete, didn't even go on the ship. I knew they was harassing me then or trying to get me to quit or do something.

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<sup>54</sup> Deposition of Curtis Ford, September 7, 1979, Box 3, *Sarah Parker et al. vs. Bell Helicopter and UAW Local 317*, 14; Deposition of James Estes, December 5, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 26-27; and Deposition of Claude Guyden October 11, 1978, Box 4, *ibid.*, 9-10.



Luckily for Jackson, he was experienced enough to realize what was happening and managed to get the job done in spite of the impediments placed before him. But such episodes just went to show how deep racial prejudice still ran among managers in the plant.<sup>55</sup>

Sadly, many workers lacked the fortitude of Rufus Jackson and found they were unable to endure the stress that such harassment placed on them. Twenty years after General Dynamics transferred him into maintenance so as to avoid having to upgrade an African American, Claude Guyden was offered a position in the company's modification department. Although this would have constituted a major promotion, Guyden refused the transfer. Asked why he would turn down this offer, Guyden maintained that the prospect of having to deal with more insults and mistreatment was simply too much for him to handle. "I didn't want to go through what I had went through again," he maintained. "In fact, I would just rather throw up my hands and say, 'You can have the job,' because it's too much pressure that they put on you, that they put on me." This sentiment was shared by Willie James Jackson, who admitted to letting his recall rights at General Dynamics lapse after being terminated because of the treatment he received. "With the problems and the headaches that they had given me and the way they had treated me as the result of asking for higher positions and advancement," he contended, "I decided that I would rather not have anything to do with that company any further." Such frustrations were summed up best by Melvin Jones, who himself was the target of a great deal of harassment at General Dynamics: "It will be hard for you to understand what we as black people go through, and you don't really feel it until you start looking

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<sup>55</sup> Deposition of Rufus Jackson, Jr., October 11, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 21-30, 49.

for jobs. Other ways that you can kind of, you know, roll with it, you know, get by, but when it comes to your living, your family livelihood, that's what it all come from is your job and that's where you hurt the most."<sup>56</sup>

Management's response to these various charges focused once again on demonstrating their companies' commitments to Title VII and outlining the means that were being taken to advance African American workers. General Dynamics' equal employment compliance officer Ralph Wagner insisted that the company's affirmative action program had been beefed up significantly during the early 1970s as a result of more stringent contract requirements. "[The government] levied increasingly specific requirements on us for the establishment of those goals for reporting, for hiring, for what have you," he asserted. "We were in the initial stages of what has since become the elaborate affirmative action program which we had for years." Transportation and sanitation chief B. R. Main added that if an employee felt he was not being given due consideration for a transfer, it was understood that he could approach higher authorities all the way up to the labor relations office for further consideration. Main also stood by the record of his own section of the General Dynamics plant, insisting that dozens of African Americans had been promoted or transferred out of maintenance since 1964.<sup>57</sup> Speaking on behalf of Bell, equal employment opportunity manager Philip Waibel testified that the company had initiated a voluntary job skills bank for minority workers in 1973. Any time a requisition for a job opening was posted, Waibel and his assistant

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<sup>56</sup> Deposition of Claude Guyden, October 11, 1978, Box 4, *EEOC vs. General Dynamics, et al.*, 16; Deposition of Willie James Jackson, October 3, 1977, Box 4, *ibid*, 59; and Deposition of Melvin Jones, October 11, 1977, Box 5, *ibid*, 45.

<sup>57</sup> Deposition of Ralph Wagner, March 20, 1980, Box 4, *EEOC vs. General Dynamics, et al.*, 27; and Deposition of B. R. Main, March 20, 1980, Box 6, *ibid*, 28.

Howard Lowe—who, incidentally, was an African American initially hired by the company as an assembler—had authority to look through their files and recommend black workers that they thought might be qualified. Waibel insisted that this had been a very useful strategy for identifying and promoting promising black candidates and presented evidence showing that the number of black semi-skilled operatives in the plant had more than doubled (from 128 to 316) between 1968 and 1970.<sup>58</sup>

Despite these assertions, there were not many African Americans willing to agree that local aircraft manufacturers had done everything they could to end discrimination. Hired as a janitor in 1949, King Barker Brackeen had been around long enough to speak authoritatively on managerial attitudes at General Dynamics. Having tried unsuccessfully to transfer into another department during the 1950s, Brackeen doubted the sincerity of the company's more recent efforts. "Well, now, the company did come around one or two times and they...had a little old piece of yellow paper, they had, that says, 'Do you want—what job do you think you want to do?'" he complained. "Well, you would say so-and-so but you knew that that was all a bunch of—there wasn't anything coming to you, so you just said, 'I want to do so-and-so,' but you only felt like you wanted to do something that you was qualified to do." Another employee at General Dynamics named Mack Earl Tippens agreed with Brackeen, arguing that while the total number of African American workers in the plant may have increased, probably as many as 80 percent were never offered the opportunity to transfer or promote into better paying

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<sup>58</sup> Deposition of Philip Waibel, January 8, 1979, Volume 1, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 48-51; Deposition of Howard Lowe, September 13, 1979, Box 3, *ibid.* Employment statistics are derived from "Employer Information Report EEO-1: Bell Helicopter, 1968" and "Employer Information Report EEO-1: Bell Helicopter, March 20, 1970," both of which were attached to Waibel's deposition.

jobs. Some witnesses even suggested that the unions had cooperated with the companies in making only token gestures at equal employment. This was exactly the point that Monroe Merritt, another longtime veteran at General Dynamics, made in his own deposition. “Whenever the government man would come around...to see that the minority group was being treated fair,” Merritt testified, “the union and the company they would upgrade maybe one, one or two men so when they walked through the plant they could point out...there’s a black man that’s a rigger, there’s a black man that’s driving.”<sup>59</sup>

Merritt’s charges against District 776 do indeed raise an important pair of questions: where were the aircraft unions and what, if any, role did they play in either protesting or fostering these types of racial discrimination following passage of the Civil Rights Act? In their own testimony, officials from General Dynamics and Bell certainly did their best to assign blame to the IAM and UAW for any discrimination that might be found to exist. Specifically, they pointed to the union contracts as the underlying cause of the problems complained about by African Americans. Sadly, the EEOC’s investigations of unions across the South had indeed uncovered a great deal of evidence that could be used as precedent to support the companies’ claims. One of the favorite techniques of discriminatory industrial unions was to create segregated lines of departmental seniority. Under such contracts, black workers who found themselves corralled into low-paying, unskilled occupations were effectively prevented from transferring to better paying jobs outside their department since doing so would mean giving up their seniority. In numerous cases emanating from such varied industries as

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<sup>59</sup> Deposition of King Barker Brackeen, October 10, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 23-24; Deposition of Mack Earl Tippens, October 6, 1977, Box 4, *ibid*, 50-57; and Deposition of Monroe Merritt, October 7, 1977, Box 5, *ibid*, 23.

papermaking, textiles, steel production, and auto manufacturing, African Americans complained that departmental seniority allowed whites to exercise a monopoly over the most skilled positions in their workplaces.<sup>60</sup> During his own testimony to the EEOC, Wagner portrayed the situation at General Dynamics similarly, insisting that “95 percent or more of the minorities then employed at the division were represented by labor organizations...[and you] couldn’t do much encouraging to promote because it was in accordance with the seniority system.” Though he was more reserved than his cross-town counterpart, Waibel also maintained that there was little he could do to offer more opportunities to African Americans at Bell until all the appropriate provisions of the UAW’s agreements had been exhausted.<sup>61</sup>

Had they been true, Wagner and Waibel’s assertions would have represented a major stain on the reputations of District 776 and Local 218, both of which had a long history by the 1970s of attempting to deal fairly with African American members. However, upon looking more closely at the contracts negotiated by these two aircraft unions, it seems that managerial accusations were somewhat off the mark, at least as far as transfers were concerned. The most important difference between the contracts negotiated by the local aircraft unions and those in other southern industries was that neither the IAM nor the UAW ever mandated separate lines of seniority for black

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<sup>60</sup> On the abuse of seniority by local unions throughout the South and elsewhere, see Minchin, *The Color of Work*, 146-47, 163-80; Minchin, *Hiring the Black Worker*, 60-61, 151-53, 244-46; Nelson, *Divided We Stand*, 206-09, 235-42; and Lewis-Colman, *Race against Liberalism*, 18-19, 58-60. For general discussions of the importance of seniority, see “Seniority—Fair Play on the Job,” *American Federationist* (September 1961), 24-28; and William B. Gould, *Black Workers in White Unions: Job Discrimination in the United States* (Ithaca: Cornell University Press, 1977), 68-98.

<sup>61</sup> Deposition of Ralph Wagner, March 20, 1980, Box 4, *EEOC vs. General Dynamics, et al.*, 33; Deposition of Philip Waibel, January 8, 1979, Volume 1, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 41-44.

workers. At both General Dynamics and Bell, an employee's seniority was established from the date of hire and was fully transferable between departments after a short probation period. This meant that in contrast to industries in other areas of the country where departmental seniority was the norm, black aircraft workers in Fort Worth did not have to fear giving up their seniority rights when they moved from one department to another. If a black employee was fortunate enough to receive a transfer to another section of the plant at either General Dynamics or Bell, his seniority would automatically follow him into the new department after a short probationary period. As District 776 president J. F. Floyd explained, based on the single seniority list maintained by the union, "[You] wouldn't know it [an employee's race] until you seen them and they come down there and want you to do something." In short, the union contracts and lines of promotion negotiated in the Fort Worth aircraft industry were colorblind and erected no formal barriers to African American advancement as alleged by plant management.<sup>62</sup>

Rather than segregated seniority lists, the main impediment for African Americans hoping to move out of maintenance work in the Fort Worth aircraft plants was precisely the fact that decisions involving inter-departmental transfers were made at the sole discretion of management. Under District 776's agreement, employees had upgrade rights based on seniority only to positions within their particular department. Inter-departmental transfers, on the other hand, were outside the scope of the union contract and recognized as a managerial prerogative that could only be challenged if it infringed

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<sup>62</sup> Deposition of J. F. Floyd, September 26, 1980, Box 3, *EEOC vs. General Dynamics, et al.*, 54; and Article VIII, "Agreement between General Dynamics and IAM District 776," August 4, 1969, Reel 73, Research Department, International Association of Machinists and Aerospace Workers Records, State Historical Society of Wisconsin, Madison (hereinafter cited as IAM Microfilm).

upon the seniority rights of employees already in a department. “I don’t know anything in the company-union agreement,” testified district president Floyd, “that would be where the union would have anything to do with getting an employee transferred from one department to another.” In other words, unlike departmental upgrades, which were based entirely on seniority and subject to the filing of grievances if someone thought they had been treated unfairly, the union had no rights to demand or request that an employee be moved from one department to another. The only latitude that District 776 had over inter-departmental transfers was if the company violated the contract by failing to first seek out senior applicants within the receiving department itself—in such a case, the union would have the contractual right to file a grievance. However, once General Dynamics received assurances that no senior employee within a department wished to fill an open position, supervisors were free to offer transfers to anyone in the plant for any reason. Without the union looking over the company’s shoulder, objective criteria often became less important than a supervisor’s personal feelings toward an employee, thereby placing black workers at a disadvantage when competing against whites.<sup>63</sup>

While the UAW enjoyed a bit more contractual oversight when it came to movement between departments, the transfer procedure at Bell was ultimately just as restrictive as the one at General Dynamics. Unlike the IAM agreement, Local 218’s contract contained provisions for a formalized bidding system. Every six months, Bell was required to post a list of jobs open throughout the plant. Once bids were received, management would then choose employees to fill these positions based on seniority and

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<sup>63</sup> Article VIII, “Agreement between General Dynamics and IAM District 776,” August 4, 1969, Reel 73, Research Department, IAM Microfilm; and Deposition of J. F. Floyd, September 26, 1980, Box 3, *EEOC vs. General Dynamics, et al.*, 30.

qualifications. On the surface, this seems like it would have afforded more opportunities for the advancement of African Americans into skilled departments—since the union was allowed to review all bids, local officials could theoretically file grievances on behalf of senior workers who were passed over. There were two problems, however, that impeded the UAW’s ability to effectively oversee the bidding process. First, as Local 218 president Noy Sparks explained, Bell generally eschewed any codes or language that might have revealed the race of bidders, thus making it virtually impossible for union stewards to recognize African Americans attempting to bid on jobs. “I wouldn’t know whether that person was a black unless I specifically knew that person,” Sparks argues, “and I wouldn’t know unless someone told me about this.” Secondly, like their counterparts at General Dynamics, managers at the helicopter plant were unwilling to allow their otherwise arbitrary authority to be completely hamstrung by such objective criteria as seniority. In order to retain some measure of control over transfers, Bell insisted on what it called supervisor’s option. If a suitable candidate could not be found among those who bid on a job, managers were allowed to promote or transfer any employee regardless of seniority or qualifications for a trial period. As the complainants’ lawyers succinctly pointed out, “No objective standards exist with respect to utilization of the supervisor’s option procedure or with respect to the non-standard tests which supervisors administer in their discretion.” The effect, in short, was the same as at General Dynamics: black workers were frequently passed over for transfers and promotions by white supervisors who tended to favor members of their own race.<sup>64</sup>

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<sup>64</sup> Article IX, “Agreement between Bell Helicopter Company and United Local 218, UAW,” June 12, 1972, Box 2, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*; Deposition of Noy Sparks, February 19, 1980, Box 4, *ibid*, 37; and “Joint



Though both companies would have tried to deny it, numerous witnesses from the ranks of management testified to the arbitrary power that the aircraft manufacturers retained over inter-departmental transfers. As a foreman in General Dynamics's maintenance department and an African American himself, Leonard Brazzell was particularly up to speed on just how subjective this process could be for black workers. Brazzell explained that if an employee wanted to move out of maintenance, it was his responsibility to let his supervisor know. Once the request was made, the supervisor could submit it to his own superior or simply ignore it. Although Brazzell himself said that he would look into an employee's background when transfer requests were made, he also admitted that there was no obligation for either him or the receiving department to do so before making a final decision. B. R. Main, General Dynamics's chief transportation and sanitation supervisor, inadvertently confirmed the subjectivity of the process, adding that "when you cross the line with an employee going into another department, the department has the prerogative either to accept or reject employees."<sup>65</sup> Bell's manager of personnel relations A. W. Sauerwein also admitted that the transfer procedure was less than objective within the helicopter plant as well. Managers who accepted an employee on trial through supervisory option, Sauerwein testified, were allowed to make their ultimate decision on any number of factors that they themselves chose. Because neither the UAW contract nor company policy laid out a standard by

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Brief of Plaintiffs Ernest Mackey, Albert Odom, and Dorothy Joyner Spears in Support of Class Certification," July 25, 1977, *ibid*.

<sup>65</sup> Deposition of Leonard Brazzell, March 19, 1980, Box 5, *EEOC vs. General Dynamics, et al.*, 35-40; and Deposition of B. R. Main, March 20, 1980, Box 6, *ibid*, 41.

which employees were to be judged, there remained a great deal of room for white supervisors to abuse this power.<sup>66</sup>

Ironically, despite the companies' apparent unwillingness to consider objective criteria in inter-departmental movement, a number of black workers complained that managers often made reference to seniority when denying their transfer requests. Hired shortly after the plant opened in 1942, Johnnie Hunter had been with General Dynamics thirty-four years when he asked about for a transfer from chemical processing into the boiler room. Upon learning that the job had gone to a less senior white employee, however, Hunter insisted that this was because his extensive seniority would have allowed him to displace the workers already there. "When they negotiated a contract, they want seniority," he angrily asserted. "But when it come to me, they don't want the seniority. 'You have got too much.'" Another employee at General Dynamics named Jerrold Verge actually received confirmation of this suspicion when he attempted to move from maintenance into assembly. "Department 92 is not willing to accept Mr. Verge on transfer because of his seniority date," the company's rejection letter read. "If he were taken on transfer, he would have more seniority after twenty-five days than any assembler 'B' in the department. There are more than two hundred. He would be the first selected for promotion to aircraft assembler 'A'." Bell office worker Peggy Haynes testified that the situation was no better at the helicopter manufacturer. Having attempted to gain transfers into other departments, Haynes was told that her high seniority would

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<sup>66</sup> Deposition of A. W. Sauerwein, August 16, 1977, Box 2, *Sarah Parker et al. vs. Bell Helicopter and UAW Local 317*, 85-87, 91.

anger the workers already there if she were moved. “It’s very hard to upgrade if you have seniority,” she insisted.<sup>67</sup>

With their power to file grievances strictly limited to upgrades within departments, there was little action that District 776 and Local 218 could take to protest these subjective decisions.<sup>68</sup> Still, if union officials could content themselves knowing that they bore little responsibility for the transfer discrimination faced by black members, there were other areas where the record was more mixed. Perhaps reflecting their frustrations at the continued subjectivity of managerial decisions, a number of witnesses maintained that local IAM committeemen and UAW stewards had not pressed the grievances of African Americans as hard as they should have. For example, when an arbitrator refused to reverse a decision by General Dynamics to terminate him for insubordination, assembler James Estes insisted that the union had not fought his grievance hard enough. “I don’t think they did nothing but sold me out,” Estes angrily recalled, “because I still felt like I should have got my job back or gotten less penalty.” Other workers testified that the apparent anti-black attitudes of their shopfloor representatives convinced them that there was no point in even filing grievances. “I mean he [the IAM committeeman] didn’t represent us, you know, pretty well when we had a grievance,” insisted janitor Johnny Lee Lacy, “which I never had a grievance because I know how he would act, but I have sat in on some.” Bell employee Henry Green even went so far as to file charges with the EEOC alleging that Local 218 had

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<sup>67</sup> Deposition of Johnnie Hunter, October 10, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 23; Deposition of Jerrold C. Verge, Jr., October 6, 1977, Box 4, *ibid.*, 36; and Deposition of Peggy Haynes, July 1, 1977, Box 1, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 18.

<sup>68</sup> On District 776’s earlier battles to negotiate a more equitable form of across-the-board plant-wide seniority at General Dynamics, see Chapters 2 and 4.

failed to sufficiently press his grievance when the helicopter manufacturer passed him over for an upgrade in favor of a white worker with less experience and seniority.<sup>69</sup>

Given their long history of working to fairly adjust African American shopfloor grievances, such allegations were indeed troubling for the unions. Not knowing how else to approach these charges, the dismayed officers of District 776 and Local 218 responded by outlining some of their more impressive accomplishments on behalf of individual African Americans. District 776 president J. F. Floyd, for example, recalled how he helped black members secure better jobs in the late 1960s through vigorous use of the grievance procedure. “Oh, I’ve had a bunch of them,” Floyd testified, “and we went down to arbitration and got some promoted.” As evidence of the UAW’s good relationship with its black members, Local 218 president Noy Sparks recalled his numerous dealings with Ernest Mackey. Besides personally securing an upgrade for Mackey, Sparks also led a lengthy arbitration to gain his reinstatement when Bell fired him. “I presented the case for Mackey in arbitration,” the UAW leader maintained, “and it took two full weeks to arbitrate his case. Well, we won the case; he was reinstated to his job.”<sup>70</sup> Fortunately for union leaders, a number of black witnesses recognized the efforts that they and other local individuals within the IAM and UAW had taken on their behalf. For example, although the district officer who handled his discrimination complaint against General Dynamics had requested anonymity, plastic parts fabricator

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<sup>69</sup> Deposition of James Estes, December 5, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 62-63; Deposition of Johnny Lee Lacy, October 5, 1977, Box 5, *ibid.*, 27-28; and Lee G. Williams to UAW Local 218, February 3, 1970, Folder 58, Box 28, UAW Fair Practices Department Collection, Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University, Detroit, Michigan.

<sup>70</sup> Deposition of J. F. Floyd, September 26, 1980, Box 3, *EEOC vs. General Dynamics, et al.*, 46; and Deposition of Noy Sparks, February 19, 1980, Box 4, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*, 25-26.

Manuel Maloy expressed satisfaction at the amount of help he received from District 776. “The [committeeman] told me,” Maloy recalled, ““These are good charges that you are coming up with. These are good answers. These are answers that need to be answered. Things are changing now and it takes a little time but, if you don’t rush them, things will get better.””<sup>71</sup>

As capably as Floyd and Sparks were able to deflect concerns about poor shopfloor representation, they had more trouble responding to charges about the underrepresentation of African Americans within union offices. Sam Leach, a longtime chemical processor at General Dynamics, was one of several black members who complained that he felt locked out of District 776’s leadership positions. “I’m a minority out there,” he stated. “I don’t have a chance to get a representative in that union hall, because every time you try to...the maintenance section will come out in big numbers and black you out.” Leach went on to recall what had happened to a black committeeman when he secured a promotion for another black worker. “Gosh, the white people went haywire on it in the next election. They beat us 90 to 1,” he insisted. “A man put out a thing, ‘If you don’t want to lose your job, you better get that nigger out of there.’ That is the very words he was passing around.” Though Floyd insisted that the maintenance department had a black committeeman and that other African Americans held higher elected positions within the local lodges, Leach’s recollections indicated that

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<sup>71</sup> Deposition of Manuel Maloy, October 12, 1977, Box 5, *ibid*, 25-26.

individual prejudice among white union members did indeed continue to present a problem for politically ambitious black workers.<sup>72</sup>

Of course, whether or not an African American ever held an elected position in the union meant little if the people he represented did not have jobs. By far the most serious complaint against District 776 and Local 218 was the belief that the layoff provisions in their agreements tended to treat black workers unfairly. More specifically, African Americans railed against those sections of the contracts governing regression rights and argued that they were written in order to protect workers in higher classifications, most of whom were white, at the expense of those further down in the workforce. Because of the cyclical nature of the industry and the dependence of General Dynamics and Bell upon military contracts that could quickly be revised or cancelled by government officials, slowdowns and mass layoffs were an ever-present fact of life for workers at all levels of aircraft production. In an effort to limit the effects of these periodic employment reductions, both the IAM and UAW agreements contained regression provisions that gave senior employees the right to bump less senior workers from lower classifications before going out the gate. As this system was originally conceived in the 1940s and 1950s, an employee could only bump into lower ranked jobs that he had previously held or that were within his department. By the early 1960s, the unions began to expand these rights by negotiating a series of job trees that brought together occupations with similar functions and organized them in a hierarchy from the

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<sup>72</sup> Deposition of Sam William Leach, October 7, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 62; and Deposition of J. F. Floyd, September 26, 1980, Box 3, *EEOC vs. General Dynamics, et al.*, 54-55.

highest level of skill down to the lowest.<sup>73</sup> Under these revised regression procedures, employees could still utilize their earlier bumping rights, but those with certain levels of seniority—five years at General Dynamics, and anyone not classified as probationary at Bell—were also allowed to bump across departmental lines into any lower classification within the job tree. By expanding the pool of employees with regression rights, these reforms helped to better insulate workers from the effects of layoffs and represented a major victory for the aircraft unions in their struggle for job security.<sup>74</sup>

Given the frequency with which employees had to exercise them, it is not surprising to learn that regression rights were one of the most cherished and closely guarded benefits among Fort Worth aircraft workers. Thus, when the mass layoff at General Dynamics began in the summer of 1970, it gave many black workers cause for alarm. As noted above, the majority of African Americans in the company's employ had been hired in the boom years since 1964. Lacking the extensive seniority enjoyed by whites, it was these recent black hires who were most affected by the layoffs. This fact was tellingly recorded in the company's employment statistics: just before the Defense Department announced that General Dynamics had lost its bid for the B-1 in June 1970, the plant employed 1,663 black workers out of a total workforce of 28,746 (5.8 percent), but in January 1971, this number had fallen to 832 out of 18,354 (3.9 percent). By the

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<sup>73</sup> On the development of regression procedures among the Fort Worth aircraft unions, see Chapters 2 and 4.

<sup>74</sup> Article VIII and Appendix F, "Agreement between General Dynamics and IAM District 776," August 4, 1969, Research Department, Reel 73, IAM Microfilm; and Article IX, "Agreement between Bell Helicopter Company and United Local 218, UAW," June 12, 1972, Box 2, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*.

time employment reached its nadir in early 1975, the plant's remaining 181 African Americans comprised only 2.6 percent of the workforce.<sup>75</sup>

In their search to understand these unsettling trends, many black workers at General Dynamics concluded that the regression system negotiated by District 776 formed the crux of their problems. Although regression was not in and of itself discriminatory, its impact was certainly not felt equally among the area's aircraft workers. Bumping rights in the industry were predicated on the theory that highly trained senior workers were more valuable to their employer and less likely to be able to secure comparable jobs if laid off; as such, these workers received more protection than their coworkers with fewer skills and shorter tenures of employment. The result of this thinking was that unskilled employees at the bottom of job trees and those with low seniority had only limited options when it came to what classifications they could bump into. For the large number of African Americans hired after 1964, many of whom still found themselves concentrated in maintenance work, these were precisely the two categories into which they fell. "Most of the blacks out there didn't even have five years' seniority unless they were in 25 [the maintenance department] to start with," Willie Lee Jackson pointed out. "In other words, to be able to bump, to have more than five years out there, you wouldn't have been black anyway, because when I come out there in '66 that was the only department that had blacks mostly." Even for the large numbers of African Americans who hired into or gained transfers to more skilled assembly work

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<sup>75</sup> "Plaintiff's Request for Admissions of Facts, Set No. 2," February 5, 1980, *EEOC vs. General Dynamics, et al.* Sustaining itself on contracts for its famous UH-1 "Huey" helicopter, Bell was able to escape these dislocations throughout the decade. As such, the issue of regression procedure and seniority rights was never as prevalent in the *Parker* case.



after 1964, their lack of seniority still left them vulnerable to being bumped by more senior white workers. General Dynamics' chief of equipment maintenance Foster Brooks Thompson, for example, confirmed that of the one hundred African Americans promoted out of his section of the plant, approximately one-third were subsequently regressed back into janitorial or labor positions during the layoffs, while the rest presumably were let go.<sup>76</sup>

As the party responsible for negotiating this regression system, District 776 naturally came in for a great deal of criticism. Adding to his statement above, Willie Lee Jackson suggested that the company and the union had negotiated the five-year provision knowing that it would affect African Americans disproportionately. While Jackson could not provide evidence to support this claim, a number of others insisted that the most recent contract signed in 1969 was proof positive that the union and company had conspired to use black-dominated maintenance jobs as a safety net for more skilled white workers. In their continuing effort to expand the regression system and the job security it provided, IAM representatives had revised the job tree governing maintenance work during these negotiations to include a small department of mostly white painters who had somehow been left out of the previous agreement. The problem was that when the layoffs began in late 1970, many of these white painters were able to use their seniority to bump into the jobs of more recently hired black janitors. Laid off in November 1971, Jerrold Verge, Jr., expressed the sentiment of many fellow maintenance workers who were also displaced by the white painters. "To me, you know, it's kind of funny that

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<sup>76</sup> Deposition of Willie Lee Jackson, October 3, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 23; and Deposition of Foster Brooks Thompson, April 7, 1980, Box 6, *ibid*, 54-55.

people can bump you out of your job and while things is good they are looking down their nose at you because you are nothing,” Verge explained, “[but] then when things get rough they bump you out of your job and you have to go out the door...and you are never offered the chance to go up and get none of the gravy.” Billy Harold Austin had a similar reaction to his termination. “I don’t imagine a man...black or white, would mind working janitorial work to keep his job,” he said, “but if he’s not working in that department and hasn’t been hired in that department, I don’t think it’s right for him...to put another man out on the street, and...he has a family just like he does.”<sup>77</sup>

Part of the problem seems to have been that District 776 officials neglected their duty of explaining to African Americans exactly how they would be affected by the somewhat complicated regression system. The reigning interpretation of the 1969 contract among those testifying was that only employees who had previously held a position in maintenance would be allowed to bump back into the department during layoffs. “The way I understood it,” explained John Angton, “[was] that the men that come back into the janitor department or my department number, whatever you might call that, would have to be there or would have been in that department before...he could regress back into that department.” When it was pointed out to Angton that this was not a correct interpretation of the contract, he said that his committeeman had told him a janitor had little to worry about since hardly anyone ever regressed back into maintenance. While this statement was likely made in good faith by the IAM representative—after all, janitorial work was still viewed by many whites as a “colored” job unworthy of their

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<sup>77</sup> Deposition of Willie Lee Jackson, October 3, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 24; Deposition of Jerrold C. Verge, Jr., October 6, 1977, Box 4, *ibid*, 34; and Deposition of Billy Harold Austin, October 3, 1977, Box 5, *ibid*, 25-26.

efforts—the extent of the layoffs quickly changed the situation. Almost overnight, skilled men who would never have accepted such a low-paying job when the plant was booming were now scrambling to secure any kind of work that would offer them a paycheck. “I mean people were bumping back in that hadn’t been in that department...so that’s what I was trying to figure out, why was it that we didn’t have a chance to go up instead of coming back down?” Angton exclaimed.<sup>78</sup> Willie James Jackson made an even more serious charge, contending that union negotiators had waited until after the contract was ratified by the membership before expanding the maintenance job tree to include the painters. “They...went down to the union hall and got with the president, Buck Floyd, and changed the contract, without anybody’s knowledge,” he alleged, “and other people that worked in [Department] 25-4 in construction...decided that they would change the contract to the point when layoff come they would regress back into the janitorial positions.”<sup>79</sup>

Union leaders, of course, adamantly denied any discriminatory intent in their decision to expand the maintenance tree to include painters. “The mere fact that a number of persons were laid off in Department 25-4 does not demonstrate the ‘cause and effect’ of regression,” IAM lawyers pointed out. “It rather may only be exemplary of the deep layoff being felt throughout the General Dynamics plant during 1971.” Having led the negotiations in 1969, District 776 president J. F. Floyd similarly argued that everybody in the plant was included in a job tree and neither the painters nor the janitors were singled out for any special treatment. In his own recollection of the incident, former

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<sup>78</sup> Deposition of John Davis Angton, October 10, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 17-18, 31-32.

<sup>79</sup> Deposition of Willie James Jackson, October 3, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 25.

district president turned business agent O. D. Wright said he understood how black workers might interpret this as a racial dispute but ultimately agreed with Floyd that the janitor's predicament would have been shared by any worker whose job tree was combined with that of a more skilled department. "That could have happened to anybody, any department," Wright argued. "Every time you combine a tree you're going to do that. The lowest classification is going to get the worst end of it 'cause all them are going to start coming down on them." Wright also responded to Jackson's charge that the union had gone behind the back of the members, explaining that one of the committeemen on the 1969 bargaining team had come from the ranks of the painters and was simply trying to protect those workers on whom his reelection depended. "Everybody kind of...laughed at him, at that committeeman, 'cause...that just was personal for him, he got something personal in the contract," Wright recalled.<sup>80</sup>

District 776's defense of the contract was bolstered somewhat by the fact that a number of black workers in higher classifications had actually benefited from the regression provisions. Hired as a machine tool repairman in 1966, Mack Earl Tippens was one step away from the highest labor grade in the plant when the layoffs began. Rather than immediately go out the gate, however, Tippens had used the job tree to bump less senior laborers and janitors, many of whom were African Americans, and managed to effectively extend his employment by nearly two years. Although he insisted that the regression procedure was discriminatory insofar as the workers he replaced had not been given the same opportunities to advance, Tippens did agree that it made good business

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<sup>80</sup> "Reply to Plaintiff's Brief on Modification of Class Certification," June 22, 1981, Box 3, *EEOC vs. General Dynamics, et al.*; Deposition of J. F. Floyd, September 26, 1980, Box 3, *ibid*, 41-43; and O. D. Wright Interview, October 22, 2008 (tape in the author's possession).

sense for General Dynamics to retain skilled employees like himself even when it meant placing them in jobs they had never held. A handful of other African Americans supported Tippens' testimony, admitting that they had in fact been displaced by black workers who themselves regressed from higher positions back into maintenance. Still, as janitor Joe Nathan Fisher succinctly explained, knowing that one's job was being taken by a higher ranked black man rather than a white man was little comfort for those affected by the layoffs. "It don't make no difference who it was, if they was taking my job away from me," exclaimed Fisher. "The color ain't got nothing to do with it."<sup>81</sup>

Hoping to appease workers like Fisher and perhaps relieve some of the criticism being leveled at local unions such as District 776, the IAM's national leaders began brainstorming ways to limit the impact of industry layoffs on recently hired African Americans. One of the most interesting ideas was articulated by Grand Lodge Vice President L. Ross Mathews. Speaking before a personnel association in November 1970, Mathews—who, it will be recalled, began his career in the IAM as District 776's secretary-treasurer during the late 1940s and early 1950s—proposed a system that he called inverted seniority:

There is a definite need...to break the old "last hired, first fired" cycle that has kept so many blacks out of jobs and on relief. One way to meet this problem, through bargaining, will be to set up a system of "inverted seniority." If it goes hand in hand with a proper program of supplemental unemployment benefits it will work like this: when a company is laying off, older workers (who have maximum protection under unemployment insurance and supplemental unemployment benefits) can volunteer to be laid off in place of more recently hired blacks. With his unemployment and SUB an older worker can receive up to 95 percent of his income. Thus, he will lose almost nothing while the black worker remains employed.

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<sup>81</sup> Deposition of Mack Earl Tippens, October 6, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 19-23; Deposition of Jerrold C. Verge, Jr., October 6, 1977, Box 4, *ibid*, 35; and Deposition of Joe Nathan Fisher, October 5, 1977, Box 5, *ibid*, 26.

While there is no evidence that this innovative plan was ever attempted in Fort Worth or anywhere else, it does demonstrate that union leaders were grappling with the racial problems caused by the instability of aircraft manufacturing.<sup>82</sup>

Such national proposals and District 776's defense of the regression system notwithstanding, the layoffs still raised many doubts in the minds of black workers about the utility of seniority as it was currently arranged. While few argued with the general principle, many agreed with King Barker Brackeen that seniority was no help if it could not be used as a means of transferring out of low-skill maintenance work and into departments where there was more of a buffer against layoffs. "Well, if they was letting the plant bump—I mean plant-wide it would be all right, but they wasn't doing that," Brackeen explained. "They just wasn't doing it with the black. We was in [Department] 25-4 and we was stuck, see? We couldn't bump nobody but each other." Chemical processor Alton Blanton complained that District 776's weakness prevented it from adequately representing black workers against company abuses. "It's supposed to represent everybody and I felt like some of those things that went on with the company, that if we had a strong enough union ...they could have done something about it," Blanton insisted. Janitor Don Willard Harris went so far as to actually withdraw from the union out of disgust for the regression system, insisting that the job trees were one-way streets that worked against those in lower classifications. "What made me familiar with

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<sup>82</sup> "Remarks by L. Ross Mathews, General Vice President, International Association of Machinists, at Personnel Association of Northwestern Pennsylvania," November 24, 1970, Folder "Ross Mathews," Box 86, IAMAW Records.

it,” he said, “was the way that it would always grow up, I mean, well, the roots of it would always go down but those at the roots could not go up.”<sup>83</sup>

Despite the anger that the layoffs and regression debacle provoked, most black workers continued to stand steadfastly behind District 776 and the seniority system. John Angton insisted that his support was simply a matter of being a good union man. “I’m not complaining about [being] laid off,” he argued, “because I know that during the time, if it ever was a time to be laid off or if I were the low man, then I’m subject to being laid off.” Veteran janitor Otto Haliburton echoed this sentiment and refused to testify against the union, saying only that he wished District 776’s officers and committeemen had done more to inform African Americans of other opportunities available to them throughout the plant. King Barker Brackeen probably did the best job of expressing the oftentimes ambivalent sentiment among Fort Worth’s black aircraft workers toward their unions. Even though he believed that District 776 and General Dynamics were “buddy-buddy,” he insisted that he would never oppose organized labor. “It’s good when...everybody is treated right,” Brackeen maintained, “and out there without the union, god, I’m just out there floating, I’m a scab. I like the union.”<sup>84</sup>

The ambiguous nature of the aircraft unions’ role in post-1964 discrimination and their relationship to black workers was borne out by the settlements that the EEOC eventually reached in these cases. Although the court refused to release District 776 and

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<sup>83</sup> Deposition of King Barker Brackeen, October 7, 1977, Box 5, *EEOC vs. General Dynamics, et al.*, 21; and Deposition of Don Willard Harris, October 11, 1977, Box 5, *ibid*, 21-22.

<sup>84</sup> Deposition of John David Angton, October 10, 1977, Box 4, *EEOC vs. General Dynamics, et al.*, 23; Deposition of Otto Wilven Haliburton, October 11, 1977, Box 5, *ibid*, 35-36, 43; and Deposition of King Barker Brackeen, October 10, 1977, Box 5, *ibid*, 37.

Local 218 from the lawsuits against General Dynamics and Bell, both unions managed to escape the full wrath of Title VII and the power it held to force amendments to their contracts. If either the IAM or the UAW had been guilty of discriminating against African Americans, federal district court Judge Eldon Mahon apparently did not consider it egregious enough to warrant this more drastic action. For the companies, on the other hand, the road to resolving black workers' claims and the numerous issues they raised was a bit more complicated. Even as the 1970s melted into a new decade, lawyers for the Fort Worth aircraft manufacturers remained steadfast in their refusal to admit discrimination. With regard to the most numerous series of complaints concerning regression, General Dynamics argued that it was virtually impossible to determine exactly how many of those African Americans who were ultimately laid off might have avoided the decimation of the plant's workforce from 1971 to 1975 if the union contract had been any different. As for the remaining charges concerning hiring, job placement, and transfers, both General Dynamics and Bell once again pointed out how much progress had been made through the equal employment opportunity liaisons they had set up in their respective plants after 1964. Surely, the companies' lawyers concluded, these gains, ephemeral though they may have been, had to be considered when determining whether their clients were guilty of violating Title VII.<sup>85</sup>

For their own part, the plaintiffs' attorneys appear to have recognized these same weaknesses in their cases. After nearly a decade of litigation, they also understood that many of their black clients were becoming understandably impatient with the proceedings and wanted to see the suits brought to some kind of resolution. In June 1980

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<sup>85</sup> "Reply to Plaintiff's Brief on Modification of Class Certification," June 22, 1981, Box 3, *EEOC vs. General Dynamics, et al.*



lawyers for the EEOC accepted a federal court order cutting in half the number of complaints for which compensation might be granted. Under the order, General Dynamics was to be held liable only for discrimination that took place in the areas of job assignment, transfers, promotion, job classification, and regression, the latter being strictly limited to the controversy surrounding the job trees in the 1969 contract. Whether or not this break was the product of negotiations between General Dynamics and the EEOC is not known; what is clear, however, is that informal conciliation talks began shortly after the order was issued in the hopes of expediting a settlement. While there was no corresponding order in the case against Bell, the lawyers here were also engaged in discussions aimed at reaching a compromise by the same time as well.<sup>86</sup>

Unfortunately, no record of these final legal discussions remains, but the settlements that emerged from them clearly demonstrate the desire of General Dynamics and Bell to simply put the cases behind them in whatever way would have the least impact on their ability to gain future government contracts. Just as it had from the beginning of the EEOC's lawsuit, in July 1982 General Dynamics secured a statement denying that it had ever violated any provisions of Title VII and establishing that the only reason it now agreed to a settlement was "to avoid the costs and expenses which would necessarily be required if the claims involved in the...actions are not settled, but are litigated." Notwithstanding the disingenuousness of this statement—the company had, after all, spent nearly ten years in court fighting the charges—and the damning evidence presented against it by dozens of witnesses, General Dynamics agreed to settle the claims

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<sup>86</sup> "Plaintiff's Brief on Modification of Class Certification of Subclass III, the Blacks," June 10, 1981, Box 3, *EEOC vs. General Dynamics, et al.*; Order, November 20, 1981, Box 3, *ibid*; and "Order," May 27, 1980, Box 5, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*.

of all African American plaintiffs for the relatively modest sum of \$900,000. Ultimately, this money was distributed to 171 people, ninety-four of whom responded to the class action settlement notifications that the company was required to post and advertise. The payout for individuals who had actually testified in the suit ranged from approximately \$1,500 to nearly \$18,000 in one case. Interestingly, the settlement contained no requirement for General Dynamics to modify its hiring or transfer practices, nor did it decree that any of the regression or seniority provisions in District 776's contract were subject to amendment.<sup>87</sup>

The agreement reached by attorneys in the case against Bell took a more proactive approach toward eliminating discrimination within the helicopter manufacturer's facilities. Like General Dynamics, Bell denied all liability for violations of Title VII even as it set aside \$1.25 million for distribution among all class actors in exchange for the extinguishment of their discrimination claims. Unlike its larger neighbor, however, the terms of Bell's agreement also required it to make a number of changes in its personnel policies. In order to assure that African Americans received the same consideration in hiring, all job applications were to be kept on hand for at least a year, separated according to race and sex, and reviewed by equal employment opportunity coordinator Philip Waibel annually. Under the settlement, Waibel would also have a much larger role to play in overseeing interviewers, all of whom were required to submit in writing their reasons for rejecting African American applicants. The company also agreed to more aggressively advertise promotional opportunities, maintain an up-to-date

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<sup>87</sup> "Settlement Agreement," June 2, 1982, Box 3, *EEOC vs. General Dynamics, et al.*, 3; "Motion Requesting Approval of Decree," July 26, 1982, Box 3, *ibid.*; and "Order," July 26, 1982, Box 3, *ibid.*

job skills bank for African American employees, and offer training courses to all supervisory personnel on the importance of Bell's equal employment policies. Finally, an outside consultant was to be brought in for the purpose of evaluating the educational and experience requirements for all union-covered positions in its Texas facilities. Although a handful of plaintiffs objected to the terms of this agreement, the court's acceptance of the settlement in April 1981 effectively brought the Bell case to a close.<sup>88</sup>

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The anticlimactic conclusion reached in these class actions and the smaller individual lawsuits that preceded them reveal a great deal about the mixed legacy left behind by the Civil Rights Act. The most obvious impact was the expanded legal protections against workplace discrimination provided by Title VII. Contrasted against the limited power afforded them by previous federal fair employment agencies, African Americans who came forward after 1964 had real remedies available to them through the EEOC and the courts. In exercising this new authority, Fort Worth's black aircraft workers revealed the weaknesses inherent in the company-endorsed and federally approved voluntary compliance schemes established by earlier anti-discrimination agencies. Well into the late 1960s, the historical legacy of these earlier stopgap measures remained clear to see as both General Dynamics and Bell continued to concentrate African Americans in low-skill jobs while stubbornly insisting that management retain control over inter-departmental movement. Of course, even as the Civil Rights Act provided a means for black aircraft workers to challenge discrimination, it also served to partially awaken their employers to the necessity of opening more opportunities to these

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<sup>88</sup> "Stipulation of Compromise and Settlement," April 21, 1980, *Sarah Parker, et al. vs. Bell Helicopter and UAW Local 317*; and "Judgment," April 10, 1981, Box 5, *ibid.*

same workers. The numerical gains made by African Americans through General Dynamics's and Bell's minority recruitment programs, though never approaching their percentage within the overall population of Fort Worth, were nevertheless significant. For every African American who complained that he was still confined to janitorial work, there were others who managed to find their way into such traditionally white jobs as assembly, fabrication, and supervision during the latter years of the 1960s.

Unfortunately, these equal employment programs proved to be little match for the economic vicissitudes of military aircraft production. At the very moment that African Americans were beginning to gain a foothold in the industry's higher paying jobs, the mass layoffs of the early 1970s wiped out nearly all of this progress. And therein lay one of the greatest weaknesses of the Civil Rights Act, Title VII, and the entire federal anti-discrimination effort. Despite the obvious negative impact that doing so had on future African American advancement, the EEOC was unwilling to question the deficiencies inherent within an unplanned economy. Instead, the commission—and, by extension, the federal government that it represented—was content to accept a narrow monetary settlement and vague promises of compliance that eliminated only the visible vestiges of discrimination. Because they refused to recognize and challenge the structural causes of minority underemployment and discrimination, federal officials consigned African Americans to a future in which their advancement depended upon economic forces completely beyond their control.

Ultimately, the period following the layoffs of the early 1970s would serve as the most telling evidence of the quandary in which Fort Worth's black aircraft workers found themselves. On the one hand, the Defense Department's decision to award General

Dynamics a multi-billion dollar contract for production of the new F-16 fighter jet in 1975 made manifest the old adage that a rising tide floats all boats. Throughout the second half of the decade and on into the next, employment at the plant steadily increased as General Dynamics struggled to keep up with demand for this hugely popular military aircraft. With the election of Ronald Reagan to the presidency in 1980 and the emergence of a more hawkish political order committed to demonstrating the nation's military might, this all seemed to bode well for the economic prospects of Fort Worth's African American population. On the other hand, at the same time that this new political order was seeking to build up the war-making capabilities of the United States, it was also tearing down a number of hard-won civil rights protections and turning its back on the nation's most impoverished citizens. Nowhere was this change in course as apparent as it was in the workplace. As a supposedly new morning dawned in America, Fort Worth's black aircraft workers faced a decidedly uncertain future.

## EPILOGUE

### THE SHORTCOMINGS OF EQUAL EMPLOYMENT

October 1995 was a special time for African Americans employed in the Fort Worth aircraft industry. For half a century, the area's black workers had fought with varying degrees of success to overcome the prejudices of southern society and gain equal access to the high-paying jobs that were offered by General Dynamics, Bell Helicopter, and other aircraft manufacturers. Now, in commemoration of this long struggle, officials from the Lockheed Martin Corporation—which had acquired General Dynamics's facilities two years earlier—gathered together in a downtown banquet hall to pay homage to a group of workers whose careers had changed the way aircraft in the area were produced. The seven slightly graying men seated at the head table were not the inventors of some type of money-saving production technique or the brains behind a solution to a particularly complicated engineering problem. Instead, this group's accomplishments lay in the fact that twenty years before they had become the first minorities hired into the white job monopoly that had been General Dynamics's toolmaking department. According to Joe Nava, who was one of these pioneers, many in the group could not believe that a company that had so long resisted equal employment would now offer such a choice prize as anything more than a temporary measure. "When we came in," Nava recalled, "we thought it might last for a couple of years. Nobody knew how long it would last; certainly, not this long." Much to Nava's surprise, however, both he and the small band of African American and Mexican American toolmakers surrounding him spent the next two decades working to prove that they were not the unreliable manual laborers of racist lore. Over time these men not only gained the respect of their white

colleagues and supervisors but also earned money with which to purchase homes, put children through college, and save for retirement. Delayed though it may have been, this group's eventual realization of the American dream served as a powerful symbol of just how far the causes of equal employment and civil rights had come during the second half of the twentieth century.<sup>1</sup>

Of course, no matter how often it may have seemed like it, Nava and his fellow honorees had not waged their long struggle for workplace equality alone. To begin with, these seven men were fortunate to be represented by the International Association of Machinists (IAM) District Lodge 776. As the preceding chapters have demonstrated, the officers of District 776 and their counterparts in United Automobile Workers (UAW) Local 218 at Bell had a long tradition of moderate interracial unionism to fall back upon. By 1975, the aircraft unions' racial pragmatism had led to the negotiation of collective bargaining agreements in which decisions about upgrades, promotions, layoffs, and recalls were based largely on the colorblind criteria of seniority. In establishing length of service as an objective standard for these and other employment decisions, both District 776 and Local 218 let African Americans know that their lives in the plants would not be governed solely by the subjective whims of management. This pragmatic approach to collective bargaining was further complemented by the unions' forceful representation of minority workers on the shopfloor. Even in the days when IAM membership was closed to non-whites and local UAW leaders expressed reservations at the prospects of an integrated workforce, personal prejudices were set aside in the broader interest of resolving grievances and upholding contracts. While this may seem like a thin reed on

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<sup>1</sup> "Seven Affirm Value of Affirmative Action," *Fort Worth Star-Telegram*, February 19, 1996.

which to hang judgments about the relationship between organized labor and black workers, General Dynamics's minority toolmakers were among those who recognized the union's positive influence, referring to themselves as the "minorities with seniority" and bragging about the good conditions under which they worked. At a time when many unions across the South were busy fighting the federally mandated integration of their workforces, the racial moderation of District 776 and Local 218 set them apart in the struggle for fair employment.<sup>2</sup>

In addition to the local aircraft unions, African Americans also had another decisive ally in their struggle for equal employment. As with many of the choices that it had made in the years since World War II, General Dynamics's decision to hire a group of non-white toolmakers had been dictated largely by its status as a defense contractor beholden to the federal government for its livelihood. The implications of this relationship became especially clear in January 1975 when, after five disastrous years of contract cancellations and wholesale layoffs, the company's Fort Worth division was pulled back from the brink of destruction by a multibillion dollar deal for production of the Air Force's new F-16 fighter jet. Unlike earlier contracts that had merely opposed employment discrimination in principle, however, this particular agreement went a step further and actually required General Dynamics to hire minorities into skilled positions as a benchmark of full compliance. Though it went largely unnoticed against the celebratory backdrop of Fort Worth's returning fortunes, the importance of federal

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<sup>2</sup> *Ibid.* For information on the response of unions to the integration of the southern textile and papermaking industries, see Timothy Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill: University of North Carolina Press, 1999); and Timothy Minchin, *The Color of Work: The Struggle for Civil Rights in the Southern Paper Industry, 1945-1980* (Chapel Hill: University of North Carolina Press, 2001).



intervention was not lost on those who benefited from it. Black toolmaker Preston Wright stated unequivocally that he and his colleagues would never have received such work had it not been for the federal government. “Oh yeah,” he said, “[General Dynamics] would have hired us without affirmative action—to sweep and clean the bathrooms and mow the lawns. Not doing this.” Even Lockheed, which had its own history of equal employment problems prior to taking over General Dynamics’s Texas operations, was willing to accept the necessity of federal intervention: emblazoned across the front page of the 1995 banquet program were the deceptively simple words “Affirmative Action Works.”<sup>3</sup>

Although it was likely intended solely for the gratification of the dinner’s honored guests, Lockheed’s bold assertion does beg an important question: did the federal government’s campaign to eradicate employment discrimination during the years covered by this study actually work to the long-term advantage of Fort Worth’s black aircraft workers? To be sure, both General Dynamics and Bell had made a great deal of progress integrating their assembly lines during the hiring boom of the late-1960s. If much of this could be attributed to Vietnam-induced labor shortages, it must also be recognized that the passage of the Civil Rights Act and the oversight of the Equal Employment Opportunity Commission (EEOC) were hugely important in spurring the aircraft manufacturers forward. It was also true that similar periods of black advancement could be found scattered about at various times prior to 1964. More often than not, these brief episodes of hopefulness coincided with the efforts of some particularly tenacious federal

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<sup>3</sup> “YF-16 Could Go to \$20 Billion,” *Dallas Morning News*, January 14, 1975; and “Seven Affirm Value of Affirmative Action,” *Fort Worth Star-Telegram*, February 19, 1996.

official to use his position as a member of the Fair Employment Practices Committee (FEPC), the President's Committee on Government Contracts (PCGC), or the President's Committee on Equal Employment Opportunity (PCEEO) to help break down the walls of employment discrimination. Considered within this context, the experience of the self-proclaimed "minorities with seniority" in General Dynamics's toolmaking department would appear to be the culmination of what was a long and successful history of federal anti-discrimination activism.

Unfortunately, notwithstanding the spectacle of Lockheed's twenty-year anniversary dinner, such refreshing moments of federally driven equal employment opportunity tended to be just that—moments. For every African American that the government helped to gain work as a toolmaker or aircraft assembler, there were many others who received little or no assistance and found themselves trapped in dead-end janitorial positions. The fact that two separate Title VII lawsuits were filed at the exact same time that General Dynamics and Bell were supposedly erasing all vestiges of employment discrimination from their plants was but the most stunning evidence of this disconnect. This being the case, then, why exactly was the record on equal employment so inconsistent? The answer to this question revolves around two fundamental weaknesses in the government's approach to fighting workplace discrimination. The first and most obvious problem was the lack of authority that federal policymakers bestowed upon the agencies whose task it was to enforce fair employment. Beginning with the FEPC and continuing through the various non-statutory executive agencies that followed it, the limited enforcement powers of federal anti-discrimination officials were substantially undermined by their subordination to more vested bureaucracies for whom

fair employment was a low priority. The result, explained National Association for the Advancement of Colored People spokesman Herbert Hill, was that the discriminators themselves were allowed “to decide how much and what kind of compliance there will be with the law.”<sup>4</sup> This shortcoming was especially evident in the Fort Worth aircraft industry. Here, policymakers’ unwillingness to harm the nation’s military readiness through the cancellation of defense contracts transformed the federal government’s anti-discrimination agencies into mere clearinghouses for complaints and allowed the aircraft manufacturers to cover up their discriminatory practices under a thin patina of “voluntary compliance.” Even as the leaders of Convair, North American Aviation, General Dynamics, and Bell professed their allegiance to the cause of equal employment, the majority of local black aircraft workers found that having limited federal protection was only marginally better than having no protection at all.

The second weakness in the government’s equal employment strategy went much deeper than a mere unwillingness to use punitive authority and instead pointed to a blind spot in the ideology of postwar liberalism itself. As the preceding chapters have demonstrated, the ability of African Americans to advance in a workplace free of discrimination was almost always linked to the overall vitality of the labor market. So long as Fort Worth’s aircraft manufacturers remained flush with government business, black workers tended to enjoy more employment opportunities, but when peace broke out or contracts were cancelled, those same black workers saw their fortunes decline precipitously. The trick, then, was finding a way to rationalize the haphazard procurement of defense contracts and thus curb the aircraft industry’s notoriously

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<sup>4</sup> Quoted in Nancy MacLean, *Freedom is Not Enough: The Opening of the American Workplace* (Cambridge, MA: Harvard University Press, 2006), 44.

unstable demand for labor. Unfortunately, the best solution to this problem—the imposition of centralized economic planning—was also the least likely to be considered by federal officials in the highly charged ideological atmosphere of the Cold War. Bolstered by their belief in the rights of management and the dubious assertion that prosperity depended solely upon consumption in a free market, liberal policymakers rejected economic rationalization as a means for advancing civil rights in the workplace.<sup>5</sup> The result was that on no less than two separate occasions (first from 1945 to 1946, and again from 1970 to 1975) the periodic mass layoffs inherent in this laissez faire model decimated the ranks of Fort Worth's black aircraft workers and severely undermined whatever progress was being made by federal fair employment officials at the time. The lesson in all of this was quite simple: no matter how strongly it was supported and enforced by federal officials, equal employment had little chance of success unless those same officials were also willing to do what was necessary to guarantee full employment.

Both of these weaknesses would remain manifest in the federal government's approach to equal employment as the Fort Worth aircraft industry entered into the following decades. To begin with, policymakers' refusal to rationalize defense contracting through comprehensive economic planning had the effect of creating fewer new jobs than were needed to compensate for earlier layoffs. For example, although the announcement of the F-16 award promised to double the size of General Dynamics's

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<sup>5</sup> For insight into the debates over national economic planning and the transformation of postwar liberalism, see Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Alfred A. Knopf, 1995), 227-72; Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, NJ: Princeton University Press, 1996); Lizabeth Cohen, *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (New York: Knopf, 2003); and Jonathan Bell, *The Liberal State on Trial: The Cold War and American Politics in the Truman Years* (New York: Columbia University Press, 2004).

workforce to 12,000 by the end of 1980, this was a mere pittance when one considers that the company let go of nearly 20,000 workers in the early 1970s.<sup>6</sup> Even if African Americans managed to capture the same proportion of new jobs as they did during the Vietnam-era hiring boom (18.6 percent), their total numbers in the industry would still be only fraction of what they were prior to the layoffs. Admittedly, this situation was gradually improved by the popularity of the F-16 and the saber-rattling of presidents Ronald Reagan and George H. W. Bush—by 1989, General Dynamics was once again presiding over an empire of just under 30,000 workers at its Texas plant. With the collapse of the Soviet Union and the scaling down of the international arms race, however, the Fort Worth aircraft industry was once again subjected to massive restructuring as defense contracts were revised or cancelled. Within the first month and a half of 1991, General Dynamics let go of nearly 4,500 workers; one particularly dispiriting day was marked by the dismissal of 3,400 employees in a process described by one observer as “an assembly line that churned out pink slips.” By mid-March of the same year, another 2,000 workers were furloughed, leaving the company’s workforce at its lowest level since 1986.<sup>7</sup> Whether or not this restructuring fell disproportionately on the heads of African Americans is unclear—if Lockheed’s 1995 anniversary banquet was any indication, at least some black workers managed to weather the storm. Regardless of its impact on one group or another, though, the traumatic downsizing of the early 1990s,

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<sup>6</sup> “GD Builds Employee Level,” *Dallas Morning News*, March 22, 1977; and “Plaintiff’s Request for Admissions of Fact, Set No. 2,” February 5, 1980, Box 3, *EEOC vs. General Dynamics, et al.* (1974).

<sup>7</sup> “Layoffs Continue at GD,” *Fort Worth Star-Telegram*, February 14, 1991; “The Fortunes of War and Peace Shape a Company’s Fate,” and “GD Starts Mass Layoffs in Wake of A-12 Death,” *Fort Worth Star-Telegram*, January 9, 1991; and “2,000 More Workers Facing Layoffs at GD,” *Fort Worth Star-Telegram*, March 19, 1991.

in combination with the numerous other identical episodes throughout the history of the Fort Worth aircraft industry, once again served notice that an employee's rights in the workplace were only as durable as the jobs to which they were attached.

Besides the ever-present threat of layoff, black aircraft workers in the 1980s and 1990s also had to contend with federal officials for whom civil rights was a decidedly low priority. The presidency of Ronald Reagan was a case in point. Elected partly on his insistence that individual rights trumped group rights, Reagan went to great lengths to either weaken or eliminate many of the federal protections granted to African Americans. In addition to simply reducing the funding of anti-discrimination agencies, the Reagan administration also set out to change the EEOC's legal strategy which, since the early 1970s, had been focused on adjudicating more broadly relevant pattern-or-practice cases in which large groups of minority workers alleged discrimination. As evidenced by the class action lawsuits against General Dynamics and Bell, this strategy promised the government the most bang for its buck and was very useful for uncovering the institutionalized racism that still existed in the nation's workplaces. However, in keeping with his goal of weakening the rights of minorities, Reagan appointed people who could be relied upon to reemphasize the EEOC's earlier focus on individual complaints of discrimination. Instead of insisting that private employers institute affirmative action programs to increase the number of minorities in their employ, more often than not these officials contented themselves with minor awards of back-pay or retroactive seniority to individual complainants. These same officials also eased up on government contractors, sparing them from having to establish even weak hiring targets to improve minority

representation.<sup>8</sup> The results of this were clear to see in the types of cases filed against Fort Worth's aircraft manufacturers—following settlement of the class action lawsuits against them in 1983, neither General Dynamics nor Bell had to deal with anything more serious than individual complaints of discrimination until well into the 1990s.<sup>9</sup>

At the very same time that the Reagan administration was attempting to roll back the civil rights revolution, the relationship between black workers and the Fort Worth aircraft unions was also undergoing a transformation. In 1972, IAM District 776 secured a revolutionary contractual concession from General Dynamics known as the agency shop. Under this provision, all employees were required to either join the union or pay the equivalent of union dues as a condition of their continued employment with the company. Although Texas was a right-to-work state and expressly prohibited these types of union security agreements within its borders, District 776 was able to get around the law due to the fact that General Dynamics conducted its business on property leased from the federal government.<sup>10</sup> At first glance, such an arrangement would seem as if it had a great deal to offer African Americans—with all workers contributing to the financial

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<sup>8</sup> For negative assessments of Reagan's record on equal employment, see Norman C. Amaker, *Civil Rights and the Reagan Administration* (Washington, D.C.: Urban Institute Press, 1988), 103-37; and Manning Marable, *Race, Reform, and Rebellion: The Second Reconstruction and Beyond in Black America, 1945-2006*, 3rd. ed. (Jackson: University of Mississippi Press, 2007), 146-215. Contrary positions can be found in Nicholas Laham, *The Reagan Presidency and the Politics of Race: In Pursuit of Colorblind Justice and Limited Government* (Westport, CT: Praeger, 1997); and Robert R. Detlefsen, *Civil Rights under Reagan* (San Francisco: ICS Press, 1991).

<sup>9</sup> This conclusion was drawn from an exhaustive search of the civil litigation dockets held by the Northern District office of the U.S. District Court in Fort Worth.

<sup>10</sup> Article II, "Agreement between General Dynamics Corporation, Convair Aerospace Division, Fort Worth Operation, and International Association of Machinists and Aerospace Workers, AFL-CIO, and Aeronautical Industrial District Lodge No. 776," September 18, 1972, Reel 91b, Research Department Records, International Association of Machinists and Aerospace Workers Records, State Historical Society of Wisconsin, Madison.

well-being of the district, it follows that there should have been more funds available for union officials to police the contract on the shopfloor. Furthermore, the agency shop guaranteed that District 776 would remain viable throughout the aircraft industry's frequent layoffs and the anti-union assaults of the Reagan administration. But the agency shop also raised concerns. Because it was guaranteed to receive dues or representation fees from every worker in the plant regardless of membership, organizing was bound to become less of a concern for District 776. If this most basic of union functions diminished in importance, who could say that the adjustment of grievances and forceful shopfloor representation would not also become less of a priority? For black workers, then, the agency shop was a double-edged sword: while it promised to make District 776 more financially capable of representing their interests, it also threatened to undermine the foundation upon which their cordial relationships with the union were built.

In the end, the development of the agency shop along with the changing profile of federal equal employment enforcement in the 1980s both contributed to a profound sense of insecurity among Fort Worth's African American aircraft workers. Black toolmaker Esque Sanders, Jr., captured the spirit of this unease in a statement made on the occasion of the 1995 banquet. "It's naïve to think there's no discrimination out there....If they do away with [affirmative action], they better have something better or there's going to be some serious fallout."<sup>11</sup> For all of the progress made since World War II, the anxiety contained in this statement was perhaps the clearest indication of just how far the nation still had to go on the issue of workplace civil rights.

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<sup>11</sup> "Seven Affirm Value of Affirmative Action," *Fort Worth Star-Telegram*, February 19, 1996.



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